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S P E E C H E S

Requiem 1^o 2^o 14)

M. DE MIRABEAU

THE ELDER,

PRONOUNCED IN THE

NATIONAL ASSEMBLY OF FRANCE.

TO WHICH IS PREFIXED,

A SKETCH OF HIS LIFE AND CHARACTER.

I have been, I am, I will be to my grave, the man of public liberty, the man of the constitution. Woe to the privileged orders, if privileges constitute the man of the *people*, and not rather the man of the *nobles*; for *privileges* shall have an end, but the *people* is eternal. MIRABEAU.

TRANSLATED FROM THE FRENCH EDITION OF M. MEJAN.

By JAMES WHITE, Esq.

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P R E F A C E.

THE Speeches of *M. de Mirabeau*, here presented to the public, and which are an extract from a voluminous collection, may be considered as having gained, rather than lost, by translation ; since they are now adopted into a language which, for ages hath been the language of liberty.

Few literary operations are more delightful than that of naturalizing a noble piece of eloquence, and displaying, in their full lustre, the strength and beauty of the original.

Whether I have done this justice to the celebrated French patriot, the judgment of the reader must determine. But, even if I have not, there will be found, in the ideas and sentiments of *Mirabeau*, a recompense for the trouble of perusing the following pages,

Mirabeau is, in my mind, an orator of the first rank. He appears to me to be, in many parts of his orations, highly Ciceronian, and, in some paragraphs, even towers to a pitch of splendour and sublimity, which seems to equalize him with *Demosthenes*. (The period quoted in the title-page is such a one as *Demosthenes* might have gloried in delivering.) I think I find in him, at times, the satirical energy of *Gratian*, the imperious logic of *Floob*, the grand and irresistible enthusiasm of *Chatham*.

If, as Cicero so justly observes, the whole business of an orator is comprised in these three points, to inform, to please, to agitate, *docere, delectare, permovere*; the last of which, he affirms, is infinitely the most important, *M. de Mirabeau* is an orator in the completest sense. The two former of these three qualities, insists the Roman orator, are of little avail without the third; but the third, without the former two, is very

very frequently adequate to the acquisition of victory.

Had *Mirabeau* been a mere man of *argument*, or had he been only a *pretty* speaker, he never could have so powerfully influenced the French nation, as we know he did. Like *Demosthenes*, he spoke to the *feelings* of his fellow-citizens, as well as to their *reason*: while he informed their understandings, he animated their hearts.

It is this two-edged eloquence which kindles up the ardent and persevering spirit in great assemblies, elevates the public soul, leads to virtuous revolution, and purifies political society. It is this which discomfits court-favourites, overthrows administrations, seats integrity at the council-table, and gives capacity her due place. I hope that none of my readers will suspect me of wishing to insinuate that revolution is requisite in this country. Some things there are, at least in our ecclesiastical economy, which, doubtless, might be put in a condition more consistent with reason, with sound policy, with humanity, with religion—but we require no revolution.

The French editor of *The Labours of M. de Mirabeau at the National Assembly* (for such is the title of the book from which these

these speeches have been extracted) acquaints us, in his advertisement to the reader, that *Mirabeau* was sometimes faulty in his style.

“*Mirabeau*,” says he, “for the most part spoke *extempore*; and, indeed, his thoughts rushed upon him so rapidly, that he gave himself little concern as to the elegance and purity of the words in which he clothed them. It was sufficient for him that they were expressive. I have scrupulously preserved the inaccuracies of *Mirabeau*. They are the fruit of genius; they will instruct orators yet unborn.”

It does not appear to me, how the inaccuracies of any orator, or any author, can prove a model for the instruction of others. If Homer sometimes happens to nod, it does not follow, that those who desire to excel in poetry should take pains to nod. For my part, I have taken one liberty with M. de *Mirabeau*; which is, that, where he seemed to be deficient in dignity of expression, I have endeavoured to help him to that mode of speech which he himself would in all likelihood, have wished to use, had he been speaking in our language, to that mode of speech which he would have snatched at, if, at the moment, it had been whispered to him by a colleague. Wherever this liberty hath been taken, I have been careful to

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to give, in the margin, the expressions made use of in the original. This, I thought, might not prove unacceptable to such of my readers as cultivate the French tongue. Nay, in one or two places, where there is little or no variation from the original, but where the native words of *Mirabeau* are forcible, I have subjoined a marginal quotation of them.

The introductory paragraphs of the French editor to the several speeches, with his notes, and those of M. de *Mirabeau*, will, it is hoped, appear to be no unnecessary addition.

As the character of the French patriot hath been the object of much severity, in this kingdom, as well as on the continent, let me conclude this preface with the following passages from the Preliminary Discourse of his editor, M. *Mejan*. Perhaps they are written with the partiality of a friend; unquestionably with the animation of a Frenchman.

“ I am about to speak of *Mirabeau*, of that man so culumniated, so hated, so adored; of that man so justly celebrated, on this single account, that he could at once merit calumny, hatred, and adoration; of that man, whose writings, whose
actions,

actions, whose words, were invariably so many benefits conferred on human kind; of that man, in fine, of whom it may be said, with more truth than he himself said of his father: HE WAS NOT ONLY SERVICEABLE TO HIS COUNTRY, BUT WAS ALSO A RESPECTABLE CITIZEN OF THE WORLD.

“ And *Mirabeau* is dead ! Which of my readers will not at this moment say to himself : The loss which France, which the world hath just sustained, is immense, irreparable !

“ Yes, assuredly, it is irreparable : it is particularly so for those who were intimately acquainted with that universal legislator.

“ How mild and candid was that heart, which envy hath taken a pleasure in representing in the blackest colours ! Men of letters, who, neglected by fortune, have had access to *Mirabeau*, let me ask you, is there one amongst you whose efforts he did not encourage, whose wants he did not prevent, did not satisfy ? Men of obscurity, who have presented yourselves before him in the sacred garb of adversity, with what respectful zeal did he not hasten to hear your story ! Hear your story, did I say ?
He

He had done every thing for you, before you had yet opened your lips! Men destitute of principle *, who, alternately flatterers and villains, approached him only that you might be able, afterwards, to shew yourselves his detractors with more success and more audacity, you know full well, that not one of your vile artifices escaped his observation: let me ask you, did his countenance ever lower at the sight of you? Did reproach ever issue from his lips? You held out the hand to him; he considered you as penitent: to be beloved was his first object; you smiled, and he forgot all your crimes.

“ O my friend! (for thou wast my friend, great as the distance was at which nature had placed me from thee)—O my friend! bitter are the tears I shed while speaking of thy soul!—I knew it!—And who is he that could have approached thee for a single moment, and not know the precious value of thy soul? Indubitably, thou didst possess, in the highest degree, the difficult science of mankind: and yet thy heart, still more imperial than thy understanding,

* In the original, *hommes sacrilèges*. The reader is to understand that the author of the above passages affects to consider his friend as one of those intermediate beings, who are supposed to be placed between the Creator and the creature, to facilitate the intercourse between heaven and earth. The ancients styled them Demi-gods.

bade thee consider as so many friends all those beings, whether stately or forlorn, philosophers or men of the world, whom thy glory, thy talents, and thy renown, attracted in eager multitudes around thee*.

"*Mirabeau* is dead!—Never did he know what it was to take revenge; never did he refuse to put his trust in friendship; never did he repulse misfortune; never did he flatter kings; never did he cease to be the defender of nations. Nations, philosophers, kings, LAMENT!"

* *Mirabeau* one day came from the National Assembly, accompanied by the Abbé *Sieyès*. On the terrace of the Feuillans the people surrounded *Mirabeau*, and hailed him with shouts of applause, gratitude, and joy.—*Live, live for ever, thou Hercules of liberty!*—*Mirabeau* answered, *Here is Theseus*, pointing to his illustrious friend.

S P E E C H E S

OF

M. DE MIRABEAU.

JUNE, 15, 1789.

ALREADY had the nobility and the clergy been, for the last time, invited to repair to the hall of the National Assembly; the deputies of all the bailiwicks had been summoned; the nobles and the ecclesiastics had neglected to appear, excepting seven or eight members of the latter order. The powers of the deputies of the commons, then, had been verified, and nothing further was wanting than that these deputies should form themselves into such an assembly as corresponded with the dignity of their commission.

The Abbé Sieyès was of opinion, that they should constitute themselves under the title of Assembly of the acknowledged and verified Representatives of the French Nation.

B

First

First Speech of M. DE MIRABEAU to persuade the Commons to constitute themselves under the title of Representatives of the People of France.

GENTLEMEN,

“ I HAVE never been less capable, than on this day, to discuss an important question in your presence. Attacked, for these several days, by an obstinate fever, which at this very moment torments me, I solicit much indulgence for what I am going to say: if my heart speaks to your hearts, your vigour will supply the place of mine; but I make bold, at the same time, to request your profound attention to the string of resolutions which I shall have the honour to lay before you. The result of mature reflection, and drawn up at a more favourable juncture, they are now submitted to your wisdom with more confidence than the few words which I am attempting to flammer out.

“ We seem to be on the point of departing from that circle within which your wisdom hath so long circumscribed itself. If, with an uncommon degree of firmness, you have persevered in a system of political inaction, a system extravagantly decried by those who were deeply interested in leading you to adopt wrong measures, it was to allow time for calming the tumult in the breasts of men, and for the friends of the public welfare to second the views of justice and reason; it was in order to assure yourselves the more strongly, that, even in the pursuit of excellence, you would confine yourselves within bounds; in a word, it was in order to display a moderation which is particularly the concomitant of courage, or rather without which there is no courage truly durable and invincible.

“ Time,

“ Time, however, hath glided away ; the pretensions, the usurpations of the two orders have augmented ; your prudent tardiness hath been interpreted as weakness ; and hopes have been entertained, that weariness, restlessness, public misery, unceasingly aggravated by circumstances almost unheard-of, would extort from you some measure stampd with rashness, or pusillanimity. This, then, is the moment for re-animating your hearts, and striking your adversaries with awe, with fear, I had almost said with terror, by manifesting, in the very commencement of your operations, the forecast of policy, in conjunction with the mild but unshakeable sway of reason *.

“ There is not one of you, gentlemen, who is not aware how easy it would be, this day, by a vehement harangue, to prevail on you to come to extremities in your resolutions ; so evident are your rights, so plain and simple your requisitions, and so manifestly irregular are the proceedings of the two orders, so untenable their principles, that the parallel would go far beyond the public expectation.

“ That, in circumstances where the king himself hath acknowledged the necessity of giving France *a fixed form of government*, that is to say, a constitution, they should oppose to his will, and to the wishes of the people, the antique prejudices, the Gothic oppression of ages sunk in barbarism ; that, at the close of the eighteenth century, a faction of citizens should unmask and pursue the project of replunging us in that barbarism, claim the right of arresting every thing in its progress, when every thing ought to proceed, that is to say, of governing every thing in their own way, and dignify this mad retention with the

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name

* La prévoyance de l'habilité jointe à la fermeté douce de la raison.

name of *property*; that some *persons*, some *characters* belonging to the three estates, should, because in modern language they have been styled *orders*, shamelessly oppose to the general interest the magic of that unmeaning expression, without deigning to dissemble that their private interests are at open enmity with that general interest; that they should desire to bring back the people of France to those forms which classed the nation into two distinct kinds of men, the oppressors and the oppressed; that they should struggle to perpetuate a pretended constitution, where a single word, pronounced by a hundred and fifty-one individuals, might shackle the king and four-and-twenty millions of men; a constitution where two orders, which are neither the people nor the prince, employ the second to constrain the first, the first to intimidate the second, and circumstances to annihilate every thing that belongs not to themselves; that, in fine, while you are testifying no principles, no object, but the prosperity of the whole, rather than rivet on yourselves the fetters of the aristocracy, they should loudly invoke the aid of ministerial despotism, under the notion that, by cabal, they can at any time cause it to degenerate into ministerial anarchy—is unquestionably the highest pitch of arrogant stupidity; and it is unnecessary for me to colour this faint sketch, in order to demonstrate that the division of the orders, that the *veto* of the orders, that debate and deliberation by separate orders, were a truly sublime invention for constitutionally establishing a dictatorial and overbearing influence in the priesthood*, pride in the aristocracy, meanness of spirit in the people, a universal division of interests, corruption in all the classes which compose the great family, cupidity in every heart, insignificance in the nation,

* L'égoïsme dans le sacerdoce.

tion, subjection in the prince, and despotism in the ministry.

“What conclusion, gentlemen, are we to draw from these melancholy truths? The necessity for redoubling your wisdom and perseverance, in order to come at a constitution which may extricate us from so deplorable a condition, and to proportion our emulation and our exertions to the difficulties attending an enterprise undoubtedly sublime, yet simple, and which requires only a concurrence of abilities and inclinations; for to reason, in its emancipated and improved state, hath nature committed the eternal destiny of all human societies; and reason alone can make laws that are obligatory and durable; and reason and laws alone should govern mankind in society.

“Far, then, from discouraging ourselves, gentlemen, let us hope, and proceed with firm steps towards an object which cannot escape us.

“But all gentle means are exhausted; all conference is at end; nothing now remains but measures which are decisive, and, perhaps, extreme.—Extreme! No, gentlemen, justice and truth are ever found in a wise medium: extremities are never resorted to but in the last efforts of despair; and who can reduce the people of France to such a condition?

“We must constitute ourselves, we are all agreed upon that point; but how? Under what form, under what denomination?

“As States-General?—The term would be improper; you all are sensible of that: it supposes three orders, three estates; and certainly those three orders are not here.

“Would any propose that we should constitute ourselves under some other denomination, synonymous to that of States-General? My constant question then would be: Are you to have the royal sanction? And can you do without it? Can the

the authority of the monarch sleep but for an instant? Must he not give his concurrence to your decree, were it only in order to be bound by it? And though, contrary to all principles, it should be denied that his sanction was necessary to render every exterior act of this assembly obligatory, will he give to the subsequent decrees a sanction which is admitted to be indispensable, when they proceed from a form of constitution which he refuses to acknowledge?

“Are you sure of the approbation of your constituents? You are not to imagine that the people takes an interest in the metaphysical discussions which hitherto have agitated this assembly. They possess more importance than will, doubtless, be ascribed to them: they develop and are the consequence of the principle of the national representation, the basis of the whole constitution. But the people is yet far, very far, from understanding the system of its own rights, and the sound theory of liberty. The people pants for relief, since it hath no longer strength for sufferance; the people shakes off oppression, since it is no longer able to breathe under the horrible burthen which is crushing it: but all it asks, is, to pay only what it is able to pay, and to bear its misery undisturbedly. We, undoubtedly, ought to entertain more elevated views, and form wishes more worthy of men who aspire to liberty: but we must accommodate ourselves to circumstances, and avail ourselves of the instruments which destiny hath entrusted to us. It is then only that your operations will directly reach the chief interests of those who are subject to contributions*, a class the most useful and the most unfortunate; it is then only that you may rely on their support, that you will be invested with the irresistible

* Contribuables.

irresistible power of public opinion, and will find the confidence and attachment of the people to you unlimited. Until that happens, it will be but too easy to create divisions amongst them by transitory succours, by occasional donatives, by wild accusations, and by the secret machinations of the courtiers. It is but too easy to induce the people to sell the constitution for bread.

“In fine, is the principle unquestionably in your favour? We are all here assembled under the mode of convocation given us by the king. Indubitably you may and ought to change it hereafter, when your powers shall be brought into action: but can you do it at present? Can you do it before you are constituted? Can you do it at the time when you are constituting yourselves? By what right would you at present transgress the limits of your title? Are you not summoned under the name of *States*? Hath not the provisional act of legislation supposed three orders, although it hath convened them in one assembly? Are you authorised by your instructions to declare yourselves the assembly of the *only* representatives acknowledged and confirmed? And do not say, that the situation in which you find yourselves was not foreseen; it was but too well foreseen, since some of your instructions, luckily a very few, enjoin you to withdraw, if it should be found impossible to come to a deliberation in common with the other orders; while there is not one which authorises you to call yourselves *the only representatives acknowledged and confirmed*. It will not, then, be sufficient that you give yourselves this title, in order to enjoy the effect of it, and to be considered as legally invested with it.

“But should you happen to receive a shock, should the king refuse his sanction, should the *orders* call out for the interposition of his authority, what will follow? Dissolution or prorogation.—The undoubted consequence of that will be

be the letting loose of vengeance in all its forms, the coalition of all the branches of the aristocracy, and that dreadful state of anarchy which always hurries a nation back to despotism. You will have pillage before your eyes, you will have massacre; you will not have even the execrable honour of a civil war; for, in this country, we have always fought for persons, not for things; we fought for such or such an individual; and the banners of private interest never, at any period, permitted the Oriflame* of liberty to be hoisted.

“Moreover, is this title of *representatives acknowledged and confirmed* sufficiently intelligible? Will it strike your constituents, who know of no other assembly than that of *the States-General*?—Will the concealments which it is meant to effectuate be consistent with your dignity?—Does the motion of the Abbé Sieyès afford you a sufficient hold?—Is it not clearly a primary determination; which hath consequences that ought to be developed?—Is it proper to send you at full speed over the course, without first shewing you the goal to which they mean you should be conducted?—Can you, without a degree of precipitation unworthy of your prudence, and truly dangerous in the present circumstances, omit adopting a settled plan of successive operations, which may be the warrant of your wisdom, and the spring that puts your powers in motion?

“The title of acknowledged and confirmed deputies of the French nation, is suitable neither to your dignity, nor to the train of your operations, since the re-union which you are willing to hope for and facilitate at all times, would lay you under the necessity of changing it.

“Assume not an alarming appellation. Look out for one which cannot be disputed with you,
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* The great standard of the ancient kings of France. W.

one which, more mild, and no less imposing in its plenitude, may be applicable to all times, may agree with every improvement which events will suffer you to make, and may, in the hour of need, serve as a weapon to defend the rights and principles of the nation.

“ Such is, in my opinion, the following formula: *Representatives of the People of France.*

“ Who can dispute this title with you? What will it not become, when your principles shall be known, when you shall have proposed good laws, when you shall have acquired the confidence of the public?—How will the other two orders then conduct themselves?—Will they join you? They must do it; and, if they are sensible of that necessity, what more will it cost them to join you in regular form?—Will they refuse to join you?—We will give sentence against them, when the world at large shall be able to form an opinion of both parties.

“ But it is not enough to constitute our assembly, to give it an appellation (the only one which suits it), as long as the two other orders shall refuse to unite with us under the title of *States-General*. We must establish our principles, those wise and enlightened principles which hitherto have directed us. We must shew that, not to us, but to the two orders, must be attributed this disunion of the three estates which his majesty hath convened in one assembly.—We must shew why and in what manner we are going to bring our powers into action; why and in what manner we maintain that the two orders cannot act while they remain separated from us. We must shew that they have no *veto*, no right to come to resolutions, in which we have had no share. We must proclaim our intentions and our views; we must insure the stability of our measures, by a progress equally wise, legal, and gradual; uphold the re-
sources

sources of government, as long as they shall be made subservient to the welfare of the state; and present to the public creditors the hope of that security which they so ardently desire, and which the national honour requires that we should offer them; but still making it depend on the success of that national regeneration, which is the great and prime object of our convention and our wishes.

“ It was with this view that I drew up the resolutions which I am now going to have the honour of reading to you.

“ The deputies of the commons having, in consequence of their deliberations on the 10th of June, signified to the deputies of the clergy and of the nobility, a final invitation to repair on that same day, as well individually as collectively, to the National Assembly, in order that their powers may be confirmed conjointly with those of the deputies of the commons, pursuant to the summons of all the bailiwicks convoked by his majesty in the said assembly; and the aforesaid summons having been attended by only a small number of the deputies of the clergy, the majority of the deputies of that class, as well as those of the nobility, appearing to persist in the fatal design of separation and departure, which they have on divers occasions manifested since the opening of the States-General; the deputies of the commons have found themselves obliged, pursuant to their deliberations aforesaid, to proceed to the verification of their powers in the absence of the majority of the clergy, and of the whole of the deputies of the nobles. The verbal process of the verification of the aforesaid powers, dated the 13th and 14th of June, having been read, the deputies, whose powers were then verified, penetrated with a sense of the unhappy effects which might result from a further continuance of the inaction in which hitherto they have been necessitated
to

to remain, by the perseverance of the deputies of the privileged classes in their refusal to unite with them ; and being desirous, as far as in them lies, to put themselves in a condition to co-operate with the beneficent intentions of his majesty, and with the general wish of the nation, for the regeneration of the kingdom, have come to the following resolutions :

1. " Resolved, That the king having deemed himself incapable of accomplishing the views of his wisdom, justice, and goodness towards his people, otherwise than by convoking a National Assembly composed of the deputies of the three orders, nominated respectively in the different bailiwicks, seneschalties, cities, and provinces of the kingdom, the deputies aforesaid, of what order soever they be, have a right, individual and common, to sit together in this National Assembly, and there verify the powers of their constituents : as much have they the right to insist, that the powers of their co-deputies, of what order soever they may be, should be produced and verified in the same assembly, which alone is qualified to pronounce definitively upon all difficulties or contests which may arise, or be started, with respect to the powers of any of the said deputies.

2. " Resolved, That, after the refusal given by the other deputies to consent to the required union, and to the verification in common, to which they have been so often invited, it is now indispensable to declare, that the deputies, whose powers have been verified on the said 13th and 14th days of June, can consider the verification of powers which the other deputies may have made, or may hereafter make, out of the National Assembly, only as an act insufficient and incomplete, which can receive its legal force and its completion only by the confirmation of the National Assembly, or, which comes to the same thing, an assembly to which

which the deputies of the three orders have been duly invited, and at which they have been at liberty to assist.

3. "Resolved, That the verification of the powers of the deputies, made on the 13th and 14th of June, after the deputies of the privileged classes had been duly summoned, to the end that they might give their concurrence as to what relates to those powers, is competent to authorise the aforesaid deputies to form and constitute themselves, as they do in the present debate, in the form and under the name of Assembly of the Representatives of the People of France, to begin, as such, immediately to bring their powers into action, and consequently to proceed to appoint a president, and other officers, necessary to maintain good order in the said assembly.

4. "Resolved, That in constituting themselves in the form and quality of an assembly of the representatives of the people of France, the assembly means not to raise obstacles to the so much wish-for union of the other deputies with the representatives of the people in the National Assembly; that this body will be ever ready to receive them as soon as they shew a desire to join it in the only capacity which reason and the national interest assign to them, and to be legally acknowledged in the National Assembly, by the verification of their powers.

5. "Resolved, That the assembly of the representatives of the people of France will employ without intermission, and with all the activity of which it is capable, means of seconding the great and noble intentions of the king, and of fulfilling the expectations of his people for the prosperity of the kingdom, by communicating directly to his majesty the different measures which shall seem to it most proper to accomplish that object; but that it will never acknowledge in the deputies of the privileged

privileged classes, be their number what it may, any *veto*, that is to say, any right of opposing by separate deliberations, not held in the National Assembly, what shall be deemed necessary for the general welfare of France; inasmuch as it depends upon themselves alone, by their individual presence, and their suffrages in the said assembly, to contribute to the general good, in the only manner which is compatible with justice, reason, and the unanimous wishes of the people of France.

6. "Resolved, That in the present circumstances, what the assembly owes to the security of its constituents, to its attachment to the king, to the true principles of the constitution, and to the necessity of providing, during the holding of the States-General, for the public wants in a legal manner, which may be conformable to the wishes of the nation, and may prevent the too active effects of a zeal misled by public calamities, requires on its part the following declaration:—Forasmuch as no impost, that is to say, no levying of money for the public service, under what form or denomination soever it be established, can legally exist without the express consent of the people by its representatives in the States-General, and that only for such time as they shall have thought fit to limit it; forasmuch also as this sacred principle of every constitution where the people is accounted any thing, hath been recognized by his majesty himself, by the sovereign courts, and by the unanimous wishes of the people, as one of the essential foundations of the monarchy; forasmuch, in fine, as there is not one of the present imposts which is not illegal, either in its origin, or in the extent to which it may have been carried—the assembly of the representatives of the people declares them all to be null and suppressed of right, by the necessary consequence of the want of the people's consent to the said imposts: and considering, however,

ever, that it will require time to create a new order of things in this part of the affairs of the nation, and to the end, likewise, that we may avoid the inconveniencies which must result to public credit and to future taxes, by an absolute cessation of all connections between the treasury and persons liable to be taxed, the assembly consents, conditionally, in the name of its constituents, and decrees under the good pleasure of his majesty, that all the imposts received to this day be authorised for the moment, and continue to be paid in the same manner as heretofore, and according to the terms of the arrêts which have established or prolonged them, but only during the present session of the States-General, and no longer, unless there be a fresh prolongation, freely consented to and expressly voted by the representatives of the people in the said States-General.

7. "Resolved, That as soon as the principles upon which the regeneration of the kingdom is to be effectuated, shall have been legally agreed upon and established, the rights of the people secured, the foundations of a wise and happy constitution laid, and sheltered from all attempts under the safeguard of the legislative power of the king and the National Assembly, the representatives of the people of France will take every measure necessary for the security of the public creditors, and to assign, as a pledge for the king's debt, which will then become the debt of the nation, henceforward the honour and fidelity of the nation itself, and the inspection of its representatives, who are the organ and depositary of the sacred treasure of public faith.

8. "Resolved, That the result of the deliberations already held shall be forthwith presented to his majesty, with an humble address, wherein shall be explained the motives of the conduct of the representatives of the people since their last address,

dress, their invariable disposition to answer, by their respect, by their love for the sacred person of the king, and by their constant application to all the duties arising from the mission with which they are honoured, the truly magnanimous intentions of his majesty for the common benefit of his people, and that these resolutions and that address shall be immediately printed and published.

“ You have now heard, gentlemen, the string of resolutions with which I think we must support the title under which I propose to you to constitute our assembly : if they appear to you to merit a particular discussion, I shall have the honour to lay before you the reasons which render them necessary. For the present, I confine myself to insisting on the propriety of the appellation of *representatives of the people of France*, which I have adopted. I say the propriety ; for I admit that the motion of the Abbé Sieyès is consistent with the rigour of principles, and such as one might expect from a citizen who is a philosopher. But, gentlemen, it is not always expedient, it is not always proper to consult right only, without making any allowance for circumstances.

“ There is this essential difference between the metaphysician, who, meditating in his closet, seizes truth in its energetic purity, and the statesman who is obliged to pay respect to precedents, and to lay his account for meeting with difficulties and obstacles ; there is, I say, this difference between the instructor of the people and the practical politician, that the one thinks only of *what is*, and the other attends to *what can be*.

“ The metaphysician, travelling over the map, clears every thing with ease, is embarrassed neither by mountains, nor deserts, nor rivers, nor vast chasms : but when we come to realize the journey, when we would arrive at a given point, we must constantly recollect that we are travelling upon
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on the earth; and are no longer in the ideal world.

“ Here then, gentlemen, is one of the principal reasons for preferring the appellation which I have maturely reflected on. Should we adopt any other, we shall create a novelty, which will furnish abundant matter for the declamations of those who calumniate us; we shall have in opposition to us every precedent, every usage, every thing which custom hath consecrated, every thing which is under the powerful protection of prejudice and the aristocracy. Should we adopt the title of Representatives of the People, who can take it away from us? Who can dispute it with us? Who can tax this assembly with innovation, with exorbitant pretensions, with dangerous ambition? Who can hinder us from being what we are? And yet this appellation, so unalarming, so unpretending, so indispensable, contains every thing, includes every thing, answers for every thing. It will readily find admittance to the throne, it will deprive our adversaries of every pretext, it will not expose us to any conflicts, to any shocks (dangerous at all times), which might prove fatal to us in our present situation, and before we have taken root deep enough: this simple, peaceable, incontestable appellation will become every thing to us in time; it fits us at our birth, it will fit us at our maturity, it will “ grow with our growth, and strengthen with our strength * :” and if, at the present day, it is not so stately, because the privileged classes have undervalued the mass of the nation, how grand it will become, how imposing, how majestic! it will be every thing, when the people, upraised by our efforts, shall have attained that rank which the eternal nature of things now destines for it.”

* *Elle prendra les mêmes degrés de force que nous-mêmes.*

M. Mounier wished that they should constitute themselves a lawful assembly of the representatives of the majority of the nation, acting in the absence of the minority.

M. Rabaud de Saint-Etienne was desirous that they should constitute themselves an assembly of the representatives of the people of France, verified by their colleagues, authorised by their constituents to take care of their interests, and competent to execute the commission with which they have been charged.

M. Malouet supported the proposition of M. de Mirabeau.

M. le Grand thought that the most convenient title they could assume, would be that of *National Assembly*.

In the debate of the evening of the same day, Messieurs Target and Bergasse supported the opinion advanced in the morning by the Abbé Sieyès.

The second Speech of M. DE MIRABEAU, to persuade the Commons to form themselves under the title of Representatives of the People of France.

JUNE 16.

M. Thouret opposed the proposition of M. Mirabeau, and adopted that of M. Mounier.

M. DE MIRABEAU.

“GENTLEMEN;

“THE manner in which an honourable member hath spoken, I will not say against my motion, that remains untouched, but against the appellation of *representatives of the people of France*, which

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I have recommended ; the approbation given to the objections by several of those who have spoken after the honourable member, have filled me, I confess, with much astonishment. I thought I had declared, in the clearest terms, my opinion with respect to the separation of the orders ; and yet I am accused of having favoured the separation of the orders. I thought I had presented a string of resolutions, which might demonstrate the rights and the dignity of the people ; and I am now told, that this word *people* hath a low acceptation, which might be exclusively applied to us. I am not much distressed about the signification of words, in the absurd language of prejudice ; I spoke here the language of liberty, and stood propped by the example of the English, by the example of the Americans, who have always honoured the word *people*, who have ever consecrated it in their declarations, in their laws, in their polity. When Chatham included the charter of nations in a single word, and said *the majesty of the people* ; when the Americans opposed the natural rights of the people to all the nonsense of the civilians on the conventions set up against them ; they recognized the whole signification, the whole energy of that expression, on which liberty sets so high a value. Was it, gentlemen, at the school of the English and of the Americans, that I learnt to employ that word in a manner so suspicious as to wound the delicacy of the national representatives ? Was it there that I learnt to be less jealous than yourselves of the dignity of such an assembly ? No, I think not : I do not even imagine that I can be accused of degrading the people, if I refute the opinion hazarded by a member who spoke before me, whose youth may well increase my esteem for his abilities, but does not intitle him to impose on me.

“ His answer to what I have urged as to the necessity of the royal sanction, is, that, when the
people

people hath spoken, he does not think the sanction necessary. For my own part, gentlemen, I consider the *veto* of the king to be so necessary, that I would much rather live at Constantinople than in France, if the king had no such negative: yes, I declare, I know of nothing so terrible as the sovereign aristocracy of six hundred persons, who to-morrow might render themselves unremoveable, the day after hereditary, and conclude, like the aristocrats of every country in the world, with a grand usurpation of all the powers of the state*. However, gentlemen, since my motion hath been misunderstood, I should defend it with arguments rather than with recriminations, or examples drawn from foreign languages. I should demonstrate to you in what respect it resembles all the rest, and prove to you that, in the points wherein it differs from them, it offers great advantages. As we are here individuals declaring our respective sentiments, it is a duty incumbent on me to defend mine, and it belongs to this assembly alone to impose silence on me.

“ The more I consider the different motions between which you are to determine, the more am I convinced of this incontestable truth, that they resemble one another, that they coincide in the following essential points:

“ 1. The necessity for constituting ourselves immediately into an active assembly: this necessity is acknowledged by the Abbé Sieyès, by M. Mounier, and by my motion, which hath for its object, *to preserve us from the unhappy effects which might arise from a longer duration of the inactive state, to which we have been hitherto confined by the perseverance of the privileged classes in their refusal to unite with us.*

* *Par tout envahir.*

“ 2. The declaration, that our assembly neither is nor can be *the States-General*. Not one of us hath the boldness to give us this appellation. Each is sensible that it belongs only to an assembly of the deputies of the states of the three orders. Here again the Abbé Sieyès, M. Mounier, and myself, meet the ideas of one another completely.

“ 3. *The advantage that would result from choosing some other denomination, under which this assembly might be constituted, and which, without being equivalent to that of States-General, might nevertheless be competent to put us in a state of action.*

“ Here also we agree; for, whether we call ourselves the *acknowledged and verified representatives of the nation, the representatives of the majority of the nation, or the representatives of the people*, our object is the same; we still unite in opposing the absurd and misapplied title of *States-General*; we still seek, in excluding these appellations, for one that may go to the great object of *activity*, without having the fatal inconvenience of appearing to despoil the two other orders, whose existence, do what we may, we cannot deny, although we agree in thinking that they can do nothing without us.

“ 4. The fourth point in which we agree, is, the necessity of preventing all debate by separate houses, all scission of the National Assembly, all *veto* of the privileged orders.

“ Here again I am glad to pay homage to the other motions; but without imagining that they have provided against the evil which we all dread, with greater energy than I have. Is there any one of those motions, that hath more forcibly expressed than mine the intention of *communicating*, not to the other orders, but *directly to his majesty*, the measures that we deem necessary to the regeneration of the kingdom? Is their one of them that rejects more forcibly than mine all *veto*, that is
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to say, *all right whereby the deputies of the privileged classes, whatever number they may consist of, would oppose, by separate deliberations not held in the National Assembly, what may be judged necessary for the general welfare of France?*

“ We are agreed, then, upon these four points; points truly cardinal, truly necessary; points which should serve us all for a signal to rally by.

“ In what respect do we differ? What can justify this heat, this aversion which we shew for the opinions of one another? How comes it that my motion, so clearly founded upon principles which place it beyond the reach of every assault, so explicit, so satisfactory to every man who detests, as I do, every species of aristocracy—how comes it that this motion hath been considered as so strange, so little worthy of an assembly of the friends, the servants of that people which hath commissioned us to defend it?

“ 1. A defect common to the appellations which I attack, is, that they are long, that they are unintelligible to that immense portion of the French who have honoured us with their confidence; is there one of them who could form a just idea of what is meant by *the acknowledged and verified representatives of the nation?* Is there one of them who could comprehend you, when you should tell him that you are *the assembly formed by the representatives of the greatest part of the nation, and by the majority of all the deputies sent to the States-General, duly summoned, debating in the absence of the minority duly summoned?*

“ In place of these enigmatical appellations, these ambiguous titles, substitute *the representatives of the people of France*, and see which denomination presents the clearest definition, the most rational, the best adapted to create harmony between us and our constituents.

“ 2. A defect

“ 2. A defect peculiar to one of those two motions, is, that it gives us a name which does not confine the description to ourselves, which consequently does not distinguish us, which is applicable to the deputies of the other orders, of the other chambers, to the deputies of the privileged classes, or whatever you please to call them : for they also may style themselves *the acknowledged representatives of the nation*. Suppose you had occasion to address the king, would you presume to tell him that you were *the only representatives of the nation recognized by his majesty*? Would you tell him that he did not recognize the deputies of the clergy, that he did not recognize those of the nobility as *representatives of the nation*? Would you say so to him who hath convened them in that capacity, to him who hath desired that they should be presented to him as such, to him who hath caused them to be summoned as such, to him who hath presided amongst them as well as amongst us, in the National Assembly; to him, in fine, who hath listened to their speeches, received their addresses as well as ours, and who hath constantly applied to them terms equivalent to those which he hath made use of towards ourselves?

“ The title I recommend, this title which you censure, hath not the inconvenience of being applicable to others as well as to ourselves; it suits us alone, it will not be disputed with us by any. *The Representatives of the People of France!* What a title for men, who, like you, love the people, who, like you, feel what they owe to the people!

“ 3. This same motion which I combat, even while I avow my esteem, my respect for him who made it, styles you *the verified representatives of the nation*, as if the other representatives had not likewise been verified; as if they might be prohibited from calling themselves, like us, *the verified*

fied representatives, because they have not been verified in the same manner that we have been.

“ 4. This same motion draws a conclusion which has no relation to the premises. Examine it, one would think that you were going to form yourselves into a *National Assembly*, into *States-General*. For such is the result of this remarkable sentence: *It belongs to this assembly, it belongs to it alone, to interpret and make known the general wishes of the nation*. Is that what we propose to do? Is that the conclusion which, according to the motion, you ought to draw from the principle? No; you are going to declare yourselves *the acknowledged and verified representatives of the nation*. You are leaving to those whom it may be your pleasure to style *the unacknowledged and non-verified representatives*, the care of determining, in their turn, the title with which it may be their pleasure to adorn themselves.

“ 5. This same appellation rests merely upon a simple dispute with regard to form, in which our right is founded only upon very refined, though very solid arguments, and not upon a positive law.

“ Mine rests upon a fact, a fact authentic and undeniable; which is, that *we are the representatives of the people of France*.

“ 6. This same appellation, which I oppose, is so weak, as a member * who hath already spoken observed, that, were the deputies of the clergy and the nobility (a thing not at all unlikely) to repair to our hall in order to verify their powers, and then return to their respective chambers, there to debate as separate orders, this appellation would no longer be suitable to us.

“ That which I am recommending to you is suitable to us at all times, in all cases, and even in

* M. Thouret.

in that where, as we all desire, the deputies of the three orders should formally re-unite in this hall as *States-General*, to vote man by man, and not as distinct orders.

“ You have been told, gentlemen, the public hath been told, a sort of hue and cry hath been raised against my motion, that it tended to divide the *States-General* into chambers, to authorize the distinction of the orders. But I ask you, I ask all those who have heard me, all those who have read, or shall read my motion, where they find this distinction of the orders, this necessity for separate chambers? Should they thus, while taking one part of the motion, pass the other over in silence? I have already reminded you of the terms which I have made use of; I have told you, and have declared in the strongest expressions, that the two orders which are desirous of standing aloof from the people, are of no account in the constitution, as long as they wish to remain strangers to the people; that they can have no separate will of their own; that they can neither assemble, nor exercise a *veto*, nor come to any separate resolutions.

“ This then is the principle upon which my motion is founded; this is the object to which it tends; this is what every man of common sense will find in it, unless he voluntarily shuts his eyes.

“ Were I inclined to employ against the other motions the weapons which have been made use of in order to attack mine, might I not say in my turn. With whatever title you dignify yourselves, whether as *the acknowledged and verified representatives of the nation*, or as *the representatives of five-and-twenty millions of men*, or as *the representatives of the majority of the people*, were you even to style yourselves *the National Assembly*, or *the States-General*, could you prevent the privileged classes

classes from continuing the assemblies which his majesty hath recognized? Could you prevent them from debating? Could you prevent them from arrogating to themselves the *veto*? Could you prevent the king from receiving them, from recognizing them, from continuing to give them the same titles which he hath hitherto given to them? In fine, could you prevent the nation from calling the clergy *the clergy*, the nobility *the nobility*?

“Some have thought to embarrass me with a most terrible dilemma, by telling me that the word *people* necessarily signifies either too much or too little; that, if it be explained, in the same sense as the Latin *populus*, it signifies the *nation*; and that then it hath an acceptation more extensive than the title to which the generality of this assembly aspires; that if we understand it in a more confined sense, like the Latin *plebs*, it then supposes orders, distinctions of orders, and that that is what we wish to prevent. Some have even gone so far, as to give way to an apprehension that this word might signify what the Latins called *vulgus*, what the English call *the mob**, what the aristocrats, as well noble as plebeian, insolently call the *cannaille*.

“To this argument I can only answer; that it is exceedingly fortunate that our language, sterile as it is, should have supplied us with a word which other languages could not have furnished, notwithstanding their fertility; a word which admits of so many different acceptations; a word which, at this moment when the question is to constitute ourselves without risking the public welfare, names us without degrading us, describe us without rendering us terrible; a word which
cannot

* He might have added *tag rag*, an appellation in use with some of our English patricians. W.

cannot be disputed with us, and which, in its exquisite simplicity, endears us to our constituents, without affrighting those whose haughtiness and presumption we have to combat; a word which accommodates itself to every thing, which, modest at the present day, may enlarge the term of our existence in proportion as circumstances shall render it necessary, in proportion as the privileged classes shall, by their obstinacy, by their misconduct, compel us to undertake the defence of the nation's rights, of the people's liberty.

"I persevere in my motion, and in the only expression in it which my adversaries have attacked; I adhere to the title of *The People of France*. I adopt it, I defend it, I proclaim it, for the very reason which hath caused this opposition to it.

"Yes; it is because the word *people* is not sufficiently respected in France; because it is obscured, covered over with the rust of prejudice; because it presents us with an idea at which pride takes the alarm, and at which vanity revolts; because it is pronounced contemptuously in the chamber of the aristocrats—for that very reason is it, gentlemen, that I would cherish it; it is for that very reason that we ought to take it to ourselves, not only to upraise it, but likewise to ennoble it, to render it henceforward respectable to the ministry, and dear to every heart*. Were this name not ours, it would be incumbent on us to choose it from amongst all others, to look upon it as affording us the most precious opportunity of serving that people which hath a real existence, that people which is every thing, that people which we represent, whose rights we are defending, from whom we have received our own, and from whom we are borrowing our appellation and
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* I think this whole paragraph hath much of *Grattan's* manner. W.

our titles, a circumstance which seems to put some of you to the blush. Oh that the adoption of this name were to restore courage and resolution to the downcast people!—My soul is elevated while looking forward to the happy consequences which this name may bring along with it! The people will behold no other object but ourselves, and we shall behold no other object but the people; our title will remind us both of our duty and our force. Under the shelter of a name which inspires no terror, which creates no alarm, we are planting a young shoot; we will cultivate it, we will remove all noxious boughs that would overshadow and choke it up, we will protect it, our latest posterity will sit beneath the comfortable shade of its vast branches.

“Representatives of the people, condescend to answer me: will you go, and tell your constituents that you have rejected the name of people? that, if you have not been ashamed of them, you have, however, sought to elude that appellation, which did not seem to you to be sufficiently illustrious? that you must have a more lofty title than that which they have conferred on you? What! Are you not aware that the name of Representatives of the People is necessary to you, since it attaches the people to you, that important mass, without which you would be mere individuals, feeble twigs that might be broken one by one? Are you not aware that the name of *people* is necessary to you, since it gives the people to understand that we have linked our lot with theirs? a circumstance which will teach them to rest all their thoughts, all their hopes upon ourselves.

“More politic than us, the heroes of Holland, who laid the foundations of the liberty of their country, assumed the name of *gueux**; they would

* Beggars.

would have no other title, because their contemptuous tyrants had effected to turn it into a term of reproach ; and that title, by attaching to them that numerous class which aristocracy and despotism intended to degrade, was at once their strength, their glory, and the pledge of their success. The friends of liberty single out that name which serves them best, not that which flatters them most : in America they will call themselves *remonstrators*, in Switzerland *patres* *, in the Netherlands *gueux* ; they will decorate themselves with the injurious epithets of their enemies ; they will deprive them of the power of humbling their antagonists by expressions which the latter shall know how to turn to their own honour."

The discussion was continued ; it lasted till the seventeenth, and on that day the commons constituted themselves *the National Assembly*.

The issue hath perhaps shewn, not that the commons had acted right, but that it is fortunate that they acted as they did. Posterity, which will judge without passion, will perhaps say with us, that the motion of M. Mirabeau was, in the then circumstances, the wisest, the best imagined, the only which ought to have been adopted.

JUNE 23.

SINCE the 20th, the national hall was shut against the commons, under pretence of the preparations for the king's coming to the assembly.

Having

* Shepherds.

Having taken refuge in the tennis-court, the representatives of the nation there took a solemn oath never to separate, and to re-assemble where-soever circumstances might require, until the constitution of the kingdom, and the public regeneration, were established and confirmed.

On the 21th they re-assembled in the church of St. Louis, where they received the majority of the clergy.

The doors of the national hall were opened on the 23^d. The deputies of all the orders repaired thither; the king made his appearance with a degree of pomp which might very well be considered as somewhat fastidious, but which, surely, had nothing of dignity in it.

The king spoke; his ministers spoke: may the pencil of history carefully throw a veil over what was uttered both by the king and by his ministers. They had all mistaken the juncture; then less than ever had government a right to suppose itself reigning at Constantinople.

The king concluded his speech with saying, I COMMAND * you, gentlemen, to break up immediately, and to repair to-morrow morning to the chambers appointed for your respective orders, there to resume your deliberation. I COMMAND † the grand master of the ceremonies to prepare the halls accordingly.

The majority of the nobles and the minority of the clergy obeyed the king's injunctions, and went out along with him.

The members of the National Assembly remained immovable, and observed, for some minutes, a silence more menacing and more terrific than all the *It is our pleasure's*, and all the *I command you's* of the court had been.

M. de

* Un simple délégué de la nation, ordonner à la nation assemblée! — *Note, or rather exclamation, of the French editor.*

† Passe pour cette fois! — *Id.*

M. de Brezé, grand master of the ceremonies, made his appearance, and, addressing himself to the president, reminded him, from the king, of the injunction to quit the hall.

M. DE MIRABEAU.

(Addressing himself to M. DE BREZE.)

“THE commons of France have determined to debate : We have heard the intentions which have been suggested to the king ; and you who cannot be his instrument at the National Assembly, you who have here neither place, nor voice, nor right to speak, are not the kind of person to remind us of his speech. Go tell your master, that we are here by the power of the people, and that nothing shall expel us but the power of the bayonet.”

It is not easy to paint the enthusiasm excited by this heroic answer of *M. de Mirabeau*. Each, calculating both the wishes, and the ardour, and the necessities of the people, and the agitation in which it had lived for so long a space of time (thanks to the mal-administration of the court, and the obstinacy of some amongst the nobles and the priesthood), said within himself, *Mirabeau* hath just spoken, and the words which he hath uttered have consummated the revolution so necessary to France.—The times have proved, that they who thought in this manner were right in their opinion.

On the same day, *Mirabeau* was once again a benefactor to his country : he proposed the following

lowing decree, which was carried by a majority of 493 voices to 34.

“The National Assembly declares, that the person of each of the deputies is inviolable; that every individual, every corporation, tribunal, court, or commission, which shall presume, during or after the present session, to prosecute, call to an account, arrest, or cause to be arrested, detain, or cause to be detained, any deputy, on account of any propositions, opinions, sentiments, or speeches by him uttered at the States-General; and also all persons who shall be aiding and abetting to the said outrages, at whose command soever they may act, are infamous, are traitors to the nation, and guilty of a capital crime.

“The National Assembly decrees that, in the cases aforementioned, it will take every step requisite, in order to prosecute and punish those who shall be the authors, instigators, or perpetrators of such offences.”

Speech of M. DE MIRABEAU, recommending that the King should be addressed to withdraw the troops.

JULY 8, 1789.

“GENTLEMEN,

“TO determine me to interrupt the order of the motions which the committee intends to lay before you, it was necessary that I should be thoroughly convinced that the subject on which I have

have asked permission to address you, is of the most interesting and most urgent complexion. But, gentlemen, if the peril which I dare announce to you menaces at once the peace of the kingdom and the National Assembly, and the safety of the monarch, you will approve my zeal. The few moments which I have had to collect my ideas will, doubtless, not permit me to unfold them with as much clearness as may be necessary; but I shall say enough on the subject to awaken your attention, while your intelligence will compensate for my insufficiency.

“ Be pleased, gentlemen, to carry your attention back to the moment when the violation of the prisons of the abbey of Saint-Germain occasioned your decree of the first of this month. In invoking the king’s clemency towards the persons who had rendered themselves guilty in that affair, the assemble decreed, that the king should be supplicated *to employ, for the re-establishment of order, the infallible means of that clemency, and that goodness, so congenial to his heart, and of that confidence which his good people will for ever deserve.*

“ The king, in his answer, hath declared that this decree appeared to him a very wise one; he hath bestowed encomiums on the dispositions manifested by this assembly, and made use of these remarkable words: *As long as you shall continue to give me proofs of your confidence, I hope that all will go well.*

“ In fine, gentlemen, the king’s letter to the archbishop of Paris, dated the second of July, after having expressed the paternal intentions of his majesty, with respect to the prisoners whose enlargement should immediately follow the re-establishment of order, announces *that he is about to take measures for restoring order in the capital; and that he entertains no doubt that the assembly* looks

looks on the success of those measures to be of the utmost importance.

“ In considering these expressions in the king’s letter, the first idea which naturally presented itself to the mind, was that of doubt and uneasiness as to the nature of these measures.

“ This uneasiness might since have led the assembly to beseech the king, that he would be pleased to explain himself upon this head, and specify and particularize those measures as to which he seemed to desire the approbation of the assembly.

“ At that very moment, then, I would have brought forward a motion tending to this object, had I not, in comparing those expressions of the king’s letter with the goodness which breathes through every part of it, with the precious terms which have been made use of to signify the paternal affection of the monarch, YOUR DECREE APPEARS TO ME A VERY WISE ONE, imagined that I perceived in the parallel fresh reasons for that confidence, proofs of which every Frenchman makes it his boast to display to the first magistrate of the nation.

“ Nevertheless, what hath been the issue of those declarations, and of our respectful behaviour? Already are we surrounded by a multitude of soldiers. More are arrived, are arriving every day; they are hastening hither from all quarters. Five-and-thirty thousand men are already cantoned in Paris and Versailles. Twenty thousand more are expected. They are followed by trains of artillery. Spots are marked out for batteries. Every communication is secured. Every pass is blocked up; our streets, our bridges, our public walks are converted into military stations. Events of public notoriety, concealed facts, secret orders, precipitate counter-orders, in a word, preparations for war, strike every eye, and fill every heart with indignation.

“ It was not, then, enough that the sanctuary of freedom had been polluted by the soldiery ! It was not enough that the unheard-of spectacle had been exhibited, of a National Assembly surrendered up to military assignees, and subjected to an armed force ! It was not enough that to this outrage was added every disagreeable circumstance, every mark of disrespect, in a word, the brutality of oriental government ! It was found necessary to display the whole apparatus of despotism, and call out more soldiers to overawe the nation, the very day on which the king himself convened it for the purpose of demanding its advice and its assistance, than would, perhaps, have been employed to repel a foreign invasion ; and a thousand times more soldiers, at least, than could have been collected to succour those friends who are now martyrs to their fidelity towards us, to fulfil our most sacred engagements, to preserve our political consequence, and that alliance with Holland, that important, but dear-bought and shamefully lost alliance !

“ Gentlemen, though the question here related to ourselves alone, which though the dignity of the National Assembly alone were wounded, it were not the less expedient, just, necessary, important for the king himself, that we should be treated with decorum, since, in fine, we are the deputies of that same nation, which alone constitutes his glory, which alone is the source of the splendour which illuminates the throne of that nation, which will render the person of the king honourable in proportion as he himself shall augment the honour of the nation. Since it is over freemen he would reign, it is time that those odious forms should disappear, those insulting modes of procedure, which too easily persuade those by whom the sovereign is encompassed, that royal majesty consists in the humiliating relations of master and slave ; that a lawful and beloved prince should, in every place, and upon
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every occasion, appear only with the aspect of an irritated tyrant, or of those usurpers unfortunately condemned never to feel the delicious and honourable sentiment of confidence *

“ And let us not be told that circumstances have rendered these threatening measures necessary ; for I am going to prove, that alike useless and dangerous, whether with respect to good order, or to the pacifying the minds of men, or to the security of the throne, far from being considered as the fruit of a sincere attachment to the public good, and to the person of the sovereign, they can only be subservient to the passions of individuals, and to the concealment of perfidious views.

“ These measures are useless. I will suppose that the disorders which have occasioned all this dread are of a nature to be repressed by the soldiery ; and I assert, that, even upon this supposition, that soldiery was useless. The people, after a tumult in the capital, hath shewn an example of subordination exceedingly remarkable in the circumstances alluded to. A prison had been broke open, the prisoners dragged out and set at liberty ; a most violent ferment threatened universal insurrection—an expression of clemency, a summons from the king appeased the uproar, and effected what could never have been obtained by armed force : the prisoners resumed their fetters, the people returned to order ; so powerful is reason alone ! so well inclined is the people to do whatever is required, when, instead of menaces and humiliation, it is threatened with marks of goodness and confidence !

“ What occasion, at this moment, for the soldiery ? Never had the people more reason to be calm, to be tranquil, to be confident ; every thing announces to them the end of their calamities ;

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every

* I experience the highest pleasure in transfusing the spirit of this patriot out of his language into mine.—Let me cry, almost in the words of Correggio, “ *Anch' Io sono oratore.*”

every thing promises them the regeneration of the kingdom: their eyes, their hopes, their wishes rest on us. Ought we not to be considered as the best security to the sovereign, for the confidence, the obedience, the fidelity of his people? if he ever could have doubted them, he can no longer do so now: our presence is the pledge of public peace, and undoubtedly there never will exist a better. Yes, let them assemble troops in order to subjugate the people to the dreadful designs of despotism! but let them not drag the best of princes to commence the prosperity, the liberty of the nation, with the inauspicious apparatus of tyranny!

“ Indeed, I am not yet acquainted with all the pretexts, all the artifices of the enemies of the people, as I cannot divine with what plausible reason they can colour over the pretended necessity for the troops, at the moment when not only the uselessness, but the danger of them also makes an impression upon every heart. With what eyes will a people, assailed by so many miseries, see that multitude of idle foldiers coming to dispute with it the relics of its subsistence? The contrast created by the plenty on the one side (bread, in the eyes of him who is famishing, is plenty), and of indigence on the other, of the unconcern of the soldier, into whose lap manna falls while he hath never any occasion for thinking of the morrow, and the anguish of the people, that obtains nothing but at the price of irksome labour, and of painful sweat, is calculated to inspire every bosom with despair!

“ Add to this, gentlemen, that the presence of the military, striking the imagination of the multitude, suggesting to it the idea of danger, connecting itself with fears, with alarms, excites a universal ferment: the peaceful citizens, around their domestic hearths, are a prey to terrors of every

every kind. The people, agitated, provoked, gathering together in gangs, delivers itself up to most impetuous movements, precipitates itself blindly into peril, and fear neither calculates nor reasons. Here facts witness in our behalf.

“What is the date of this effervescence? The appearance of the troops, the military pageant of the king going to the hall of the assembly: before that, all was quiet; the agitation began upon that mournful and memorable day. Are we, then, to blame, if the people, that looks up to us, hath murmured—if it hath taken the alarm when it saw the instruments of violence pointed, not only against itself, but likewise against an assembly which ought to be free, in order to attend freely to all the causes of the public sorrow? How could the people be otherwise than agitated, when inspired with apprehension for the safety of the sole refuge that is left remaining for it? Is it not aware, that, if we do not break its chains, we shall have rendered them more heavy, shall have cemented oppression, shall have delivered up our defenceless fellow-citizens to the iron rod of their enemies, shall have increased the insolent triumph of those who pillage and tread them down?

“Let the advisers of these calamitous measures now inform us, whether they are sure of preserving military discipline in its full severity, of preventing all the effects of the eternal jealousy subsisting between the national and the foreign troops, of reducing the French soldiers to the state of mere automata, to have separate interests, separate thoughts, separate sentiments from their fellow-citizens. What imprudence in their system, to march the soldiers to the scene of our assemblies, to electrify them by the contact of the capital, to interest them in our political discussions! No; spite of the blind devotion of military obedience, they will not forget what we are; they will

will view in us their relations, their friends, their family, taking care of their dearest interests; for they form a part of that nation which hath entrusted to our care its liberty, its property, its honour. No; such men, such Frenchmen, will never totally abandon their intellectual faculties; they will never believe that duty consists in striking without enquiring who are the victims.

“ These soldiers, soon united and soon separated by appellations which become the signals of parties; these soldiers, whose trade it is to handle arms, know of no other resource in all their squabbles, than the sole instrument whose power they are acquainted with. Thence arise battles between man and man, soon after between regiment and regiment, soon after between the national troops and the foreign soldiery; insurrection is in every heart, sedition marches with her head erect; it then becomes necessary, through weakness, to veil the military code, and discipline is utterly enervated. Society is threatened with the most terrible confusion; every thing is to be dreaded from legions which, after having renounced duty, see no longer any safety but in the terror which they inspire.

“ In fine, have the advisers of these measures foreseen what consequences would result from them even with respect to the security of the throne? Have they studied, in the history of all nations, the manner in which revolutions have begun, the manner in which they have been conducted? Have they observed by what fatal concatenation of circumstances the wisest were hurried beyond all bounds of moderation, and by how terrible an impulse an intoxicated people is precipitated into excesses, the first idea of which would have made it shudder? Have they read the heart of our gracious sovereign? Do they know with what horror he would behold those who had kindled

kindled the flames of a sedition, perhaps of a revolt (I tremble while I mention it, and yet mention it I must), those who had induced him to shed the blood of his people, those who were the original cause of the rigours, the violences, the punishments of which a crowd of wretches would be the victims?

“ But, gentlemen, time presses; I reproach myself for every moment which my discourse may ravish from your wise debates; and I hope that those considerations, rather intimated than presented to your view, but the evidence of which appears to me irresistible, will suffice to form the basis of the motion which I have now the honour to propose to you.

“ That a most humble address be presented to his majesty, to depict to him the lively alarm felt by the National Assembly, at the abuse which, for some time, hath been made of the name of a good prince, in order to bring to the capital and to this town of Versailles a train of artillery, and numerous bodies of troops, as well foreign as national, several of which are already cantoned in the villages adjacent, and for the avowed purpose of forming different camps in the environs of those two cities.

“ That it be represented to the king not only how much these measures contravene the beneficent intentions of his majesty for the relief of his people, in the present distressing circumstance of dearth and scarcity of grain, but likewise how inimical they are to the liberty and the honour of the National Assembly, calculated to destroy that confidence between the sovereign and his people, a confidence which is the glory and security of the king, which alone can assure the repose and tranquillity of the kingdom, and, in fine, procure for the nation those inestimable fruits which

which it expects from the labours and the zeal of this assembly.

“ That his majesty be most respectfully entreated to remove the fears of his faithful subjects, by giving the necessary orders for the immediate cessation of those measures equally useless, dangerous, and alarming, and for the prompt dismissal of the troops and the artillery to the places whence they have been taken.

“ And forasmuch as it may be expedient, in consequence of the uneasinesses and the apprehensions with which those measures have impressed the public mind, to provide for the future maintenance of quiet and tranquillity, his majesty shall be entreated to order that, in the two cities of Paris and Versailles, guards consisting of citizens should be raised forthwith, who, subservient to the king's orders, will amply suffice to accomplish the desired end, without augmenting the number of consumers in two cities labouring under the miseries of famine.”

The most unequivocal marks of approbation were manifested by the animated applause of the whole assembly.

The motion was powerfully supported by Messieurs *de la Fayette*, the Abbés *Sieyes*, *Chapelier*, &c.

This last orator reminded the assembly that a similar requisition had been successfully made at the states of Bretagne, and that it *had originated* with the nobility.

M. DE MIRABEAU

“ I never entertained a doubt that the nobility would throw itself between us and the bayonet; it is not that body which I look upon as formidable. I know who are the traitorous advisers of these

these outrages against public liberty; and I swear by honour and my country to prosecute them."

M. de Biauzat, in support of the motion, required, as an amendment, that *that part which related to the appointment of national guards* should be left out.

The motion and the amendment were carried by a vast majority*.

M. de Mirabeau was unanimously requested to draw up the address.

JULY 9.

M. de Mirabeau produced the form of an address to be presented to the king.

Here it follows, such as it was read, admired, applauded, and adopted.

ADDRESS to the KING.

"SIRE,

"YOU have invited the National Assembly to give you proofs of its confidence: this was even going beyond their most ardent wishes.

"We are come to acquaint your majesty with the cruel alarms at present existing: were we ourselves the object of them, had we the weakness to be

* It is allowed, that there was not a word said in the address, relating to guards composed of citizens. It must, however, be observed, that what the orator had advanced in his speech produced the effect fully. The next day Paris and Versailles were in arms; in a few days after, the whole kingdom was in the same condition.

be apprehensive for ourselves, your goodness would vouchsafe to rid us of those fears, and even, while blaming us for having doubted of your intentions, would attend to our uneasinesses; you would dispel the cause of them; you would not leave the least uncertainty with respect to the situation of the National Assembly.

“ But, sire, we are not imploring your protection; that would be an offence against your justice: we have entertained fears, and, we are bold to say, they are connected with the purest patriotism, with the interest of our constituents, with the public tranquillity, with the happiness of the beloved sovereign, who, while smoothing for us the road to felicity, well deserves to find an unobstructed passage to it himself.

“ In the emotions of your own heart, sire, we look for the true safety of the French. When troops advance from every quarter, when camps are forming around us, when the capital is besieged, we ask one another with astonishment: Hath the king distrusted the fidelity of his people? Had it been possible for him to have doubted of it, would he not have made our hearts the depositary of his fatherly affliction? What means these menacing preparations? Where are the enemies of the state and of the king that are to be subdued? Where are the rebels, the leaguers, that are to be reduced?—It is unanimously answered, in the capital, and throughout the kingdom: *We have an affection for our king; we bless Heaven for the gift which in its love it hath bestowed on us.*

“ Sire, the piety of your majesty can never be imposed upon, unless under the pretext of the public good.

“ Had they who have given those counsels to our sovereign, sufficient confidence in their own principles to lay them before us, this moment would

would confer the most glorious triumph upon truth.

“ The state hath nothing to dread, except from the wicked principles which daringly besiege the throne itself, and respect not the confidence of the purest, the most virtuous of princes. And upon what grounds, sire, would they induce you to doubt the attachment and the affection of your subjects! Have you been prodigal of their blood! Are you cruel, are you implacable? Have you perverted the course of justice? Does the people impute its misery to you? Does it mention your name in the midst of its calamities? Can they have told you that the people is impatient of your yoke, that it is weary of the sceptre of the Bourbons? No—no; they have not told you so; calumny is at least not absurd; she looks for some verisimilitude to colour her base practices.

“ Your majesty hath had a recent instance of your power over your people; subordination is re-instated in the agitated capital; the prisoners, to whom the populace had given liberty, have of themselves resumed their fetters; a single word from your mouth hath restored that public order, which perhaps, had force been used, it would have cost torrents of blood to re-establish. But that word was a word of peace; it was the expression of your heart; and your subjects glory in having never made resistance to it. How delightful to exercise such sway! It was the sway of Louis IX, of Louis XII, of Henry IV; it is the only sway worthy of you.

“ We should deceive you, sire, if, forced as we are by circumstances, we neglected to add, that such a sway is the only one which, at the present day, it is possible to exercise in France. France will not endure that the best of kings should be imposed on, and drawn aside, by sinister views, from the noble plan which he himself hath traced out.
You

You have summoned us to act in concert with you in settling the constitution, in labouring at the regeneration of the kingdom: the National Assembly approaches you, in order to declare solemnly that your wishes shall be accomplished, that your promises shall not be vain, that no snares, no difficulties, no terrors shall retard its progress, nor intimidate its courage.

“Where then, our enemies will affect to say, is the danger to be apprehended from the soldiery? What mean they by these complaints, if they are inaccessible to discouragement?”

“The danger, sire, is urgent, is universal, is beyond all the calculations of human prudence.

“The danger is for the inhabitants of the provinces. Should they once be alarmed for our liberty, we should no longer have it in our power to restrain their impetuosity. Distance alone magnifies every thing, exaggerates every thing, doubles the disquiet, angers it, envenoms it.

“The danger is for the capital. With what sensations will the people, in the lap of indigence, and tortured with the keenest anguish, see the relics of its subsistence disputed for by a throng of threatening soldiers? The presence of the military will cause heats and animosities, will provoke the people, will produce a universal ferment, and the first act of violence, exercised under pretence of police, may commence a train of evils truly horrible.

“The danger is for the troops. French soldiers drawn close to the very centre of our discussions, partaking of the passions and the interests of the people, may forget that the ceremony of enlisting made them soldiers, and recollect that nature made them men.

“The danger, sire, menaces those labours, which are our primary duty, and which will only obtain their full success, and a real permanency,
as

as long as the people looks on them to be altogether free. There is, moreover, a contagion in commotions where the passions take the lead: we are but men; distrust of ourselves, the fear of appearing weak, may drive us beyond our object; we shall be besieged by counsels violent and immoderate; and calm reason, tranquil wisdom, utter not their oracles amidst scenes of disorder, faction, and tumult.

“ The danger, fire, is yet more terrible, and judge of its extent by the alarms which bring us before you. Mighty revolutions have arisen from causes far less illustrious; more than one enterprise fatal to the peace of nations hath been ushered in in a manner less inauspicious and less formidable.

“ Believe not those who talk to you disrespectfully of the nation, and who, according to their own views, represent it to you, one while as insolent, rebellious, seditious; one while as submissive, docile for the yoke, ready to bow down the head to receive it. These two pictures are alike unfaithful.

“ Ever ready to obey you, sire, because you command in the name of the laws, our fidelity is unbounded, as it is untainted.

“ Ready to resist all the arbitrary commands of those who misuse your name, because they are hostile to the laws, our fidelity itself enjoins us such resistance; and we shall ever consider it an honour to us to merit the reproaches which our firmness brings upon us.

“ Sire, we conjure you, in the name of our country, in the name of your own happiness, and your own glory, to send back your soldiers to the post from which your counsellors have drawn them; send back that artillery, destined to cover your frontiers; above all, send back the foreign troops, those allies of the nation, whom we pay
to

to defend, and not to trouble our domestic peace. Your majesty hath no need of them : why should a monarch, adored by five-and-twenty millions of Frenchmen, assemble round the throne, in a hurry, and at vast expence, some thousands of mere foreigners ?

“ Sire, amidst your children be guarded by their love. The deputies of the nation are summoned to consecrate, with you, the lofty rights of royalty upon the immoveable basis of the liberty of the people : but, while they are performing their duty, while they are giving way to their reason, to their sentiments, would you expose them to the suspicion of having yielded only to fear ? The authority which is delegated to you by every heart, is the only pure, the only unshakeable authority ; it is the just return for your benefits, and the immortal appanage of the princes to whom you will be a model *.”

JULY II.

The president reported the answer given by the king to the deputation appointed to beseech him to send away the troops.

This

* It was decreed that this *immortal* address should be carried instantly to the king. Four-and-twenty deputies were named for that purpose ; and perhaps it is not unnecessary to observe, that M. de Mirabeau was one of the members of the deputation.

This answer was as follows :

“ NO person is ignorant of the disorders and the scandalous scenes which have been and acted repeated at Paris and Versailles, before my eyes, and before the eyes of the *States-General*. It is necessary that I should make use of the means which are in my power, to restore and maintain order in the capital and the environs. It is one of my principal duties to watch over the public safety. These were the motives which determined me to assemble the troops round Paris. You may assure the assembly of the *States-General*, that those troops are destined only to repress, or rather prevent, fresh commotions, to maintain good order, and the exercise of the laws. To secure and protect, likewise, the freedom which should reign in its deliberations, every sort of constraint should be banished from it, as well as every apprehension of tumult and violence should be laid aside. They could only have been evil-minded persons, who would set the people astray, with regard to the true motives of the precautions which I have employed. I have made it my constant endeavour to do every thing which could tend to their happiness, and I have ever had reason to be assured of their love and their fidelity.

“ If, however, the needful presence of the troops in the neighbourhood of Paris still gives umbrage, I am ready, at the desire of the assembly, to transfer the *States-General* to Noyon, or to Soissons, and shall then repair to Compiègne, in order to maintain the communication which ought to subsist between the assembly and myself.”

This answer was of no signification whatever, or rather, and in the final result, it signified formally

mally that the king would not dismiss the troops. However, it met with some applause.

M. de Mirabeau alone had the resolution to attack it.

"Gentlemen," said he, "undoubtedly the king's word is deserving of the highest confidence; we all owe it to the known goodness of the sovereign; we may rely upon his virtues.

"But, gentlemen, the king's word, all comfortable as it ought to be, is nevertheless a bad security for the conduct of an administration which hath left nothing unattempted to impose upon his piety.

"We all know that, by more reserve we might have avoided great disorders. We all know that the habitual confidence of the French for their king, is less a virtue than a vice, particularly when it is extended to every part of the administration.

"Indeed, what man amongst us does not know that our inconsiderate blindness hath led us on from age to age, and from blunder to blunder, to the crisis which at the present day afflicts us, and which at length ought to open our eyes, if we have not resolved to continue, "to the last syllable of recorded time *," children ever refractory, and ever slaves?

"The king's answer is a downright refusal: the ministry hath considered it as only a simple formulary of encouragement and goodness; they seem to think that we have made the requisition, without being much interested in its success, and merely for the shew of the matter.

"We must undeceive the ministry.

"Undoubtedly my opinion is not that we should fail in that confidence, and that respect, which are due to the king's virtues; but neither is it my opinion, that we should be inconsistent, timid, undetermined in our progress.

"Indeed

* Jusqu'à la consommation des tems.

“ Indeed there is no room to deliberate on the translation which they propose to us ; for in short, even after the king’s answer, we will go neither to Noyons, nor to Soissons ; that was not the object of our requisition, and it never shall be the object of our requisition ; because, in all probability, we shall never desire to place ourselves between two or three divisions of troops, namely, those who are besieging Paris, and those which may, every moment, fall upon us, and upon Flanders and Alsace.

“ We have requested the dismissal of the troops. That was the object of our address. We have not asked leave to run away from the troops, but merely desired that the troops should be at a distance from the capital. Nor was it for ourselves that we made such a request ; fear certainly was not the motive of our conduct ; that is a thing well known ; the general interest was our motive. Now, the presence of the troops is injurious to all order and to public peace, and may occasion the most unhappy disasters ; disasters, which our translation, so far from warding off, would, on the contrary, only aggravate.

“ We must therefore bring back peace, in despite of the friends of mischief ; we must be consistent with ourselves, and, to attain that, we have but one course to steer, which is, to insist indefatigably on the dismissal of the troops, the only infallible means of obtaining it.”

The opinion of *M. de Mirabeau* was, in fact, adopted, for no contrary resolution was taken.

JULY 13.

Saturday 11th, M. Necker was dismissed.

Sunday 12th, Breteuil, la Galaisière, de Broglie, la Porte, and Foulon, took their seats in the council.

The same day, M. de Lambesc exhibited at Paris a most striking example of the power of ferocity over a pusillanimous heart.

In the evening, the barriers on the north side were burnt.

On the 13th, was passed the memorable decree, declaring that M. Necker and the other dismissed ministers were regretted by the assembly, and making the new ministers, and all the advisers of his majesty, *of what rank and station soever they might be, personally responsible for the troubles then existing, and for all those which might ensue.*

On the 14th, the Bastille was taken. The governor of that fort, and the provost of Paris, had been made cruel examples of what the people was capable of inflicting upon those who wished, either by force or cunning, to prevent it from being free,

All the citizens of Paris were in arms, and preparing to attack in front the camp which government had formed at the Military School.

Versailles was filled with foreign soldiery.

Two deputations had been sent to the king to reiterate the request for the dismissal of the troops, whose mere presence was the cause of all the insurrections.

Both the king's answers were in the negative.

On

On the 15th, the assembly, which had been sitting since the morning of the 13th, determined upon sending a third deputation to the king. It was on the point of setting out.

M. DE MIRABEAU.

"TELL him that the foreign hordes by which we are besieged, received a visit yesterday from the princes, the princesses, the favourites, male and female; and their caresses, and their exhortations, and their presents*; tell him that, the whole night, those foreign satellites, gorged with gold and wine, were predicting in their impious camps the slavery of France, and that their brutal vows were directed to the destruction of the National Assembly; tell him that, in his very palace, the courtiers danced to that barbarous music, and that such was once the prologue to the tragedy of Saint Bartholomew†.

"Tell him that that Henry whose memory the world adores, the man of all his ancestors whom he would set up as his model, let provisions pass into Paris then in actual rebellion, which he was besieging in person; and that the inhuman counsellors of his present majesty repulse the supplies of grain which commerce is carrying to his faithful and famishing capital‡."

The deputation did not set out; the king came himself to give notice that he had just ordered the troops to remove from Paris and Versailles.

* The queen, M. d'Artois, Mad. de Polignac, &c. had been in the evening to visit the hussars quartered in the Orangery.

† L'avant scène de la St. Barthelemy.

‡ Some corn, already on the road from Versailles to Paris, was sent back to Versailles by order of the ministry.

JULY 16.

Tranquillity was re-established. The deputation which, the evening before, carried to Paris the news of the king's visit to the assembly, had brought back both the promise and the hopes of peace.

But could that peace be durable, as long as the new ministers remained in place? No, unquestionably; and M. de Mirabeau was well aware of it. He proposed the following form of an address:

Form of an Address to the King, for the Dismissal of the Ministry, presented to the National Assembly on the 16th of July.

“ SIRE,

“ WE are come to lay at the foot of the throne our respectful acknowledgments for the ever-glorious confidence which your majesty hath placed in us, and the homage which we render to the purity of your intentions, to that love of justice which so eminently distinguishes you, and which founds your people's attachment to your sacred person upon the most upright and most durable motives.

“ The dismissal of the troops is an inestimable benefit; we perceive the full extent of it: but it seems to acquire a new value, since we owe it solely to your own heart, to your own fatherly solicitude. Truly worthy of holding the reins of government, you have not, in the moment of greatest difficulty, abandoned them to those who
endeavoured,

endeavoured, by a multiplicity of artifices, to persuade you to leave that government to their direction.

“ You have obtained a triumph, the more precious to your people, as you were necessitated to make head against opinions and affections, which it is honourable and delightful to give way to in private life. One of the most painful duties of the exalted station which you fill, is to wrestle with the dominion of habit and partiality.

“ But, sire, a fatal experience hath just shewn us, that sinister counsels, although they may have afforded your majesty an opportunity of exercising a great and uncommon virtue, have obliged us to purchase at the price of public quiet, at the price of the blood of our fellow-citizens, that benefit which we might have obtained from the justness of your understanding, and from the goodness of your heart.

“ It is even a matter of certainty, that, only for those perfidious counsels, the troops, which your majesty hath condescended to dismiss, would never have been summoned hither.

“ They have deceived your majesty ; their detestable policy expected to have involved you in a quarrel with your subjects ; our enemies hoped that excesses on our part, or some angry transports of the people, would justify the use of those means with which they had provided themselves ; they hoped to make criminals, that they might thereby acquire a right to punish the nation, or to punish us ; they would have betrayed your piety, your love of order, into commands which, could they, at that instant, have been executed, would have plunged this kingdom into a deplorable condition, put alienation in the place of confidence, and rendered all your generous intentions abortive, since, happy in the continuation of confusion and anarchy, those haughty and independent men
dreaded

dreaded laws and a constitution which, sooner or later, they must submit to.

“Sire, whither did they pretend to lead you? What was the object of that fatal plan which they had had the audacity to meditate?

“There is not one of us who can doubt that they proposed to disperse the National Assembly, and even lay their sacrilegious hands on the representatives of the nation; they would fain have effaced, annihilated those noble, those affecting declarations which have fallen from your lips, declarations known and admired by the universe; they would willingly have replaced in your hands the power of taxation, which you have declared to belong to the people; they would have endeavoured to interest the parliaments to lend you their assistance; they would have associated, in the midst of your capital, with money-jobbing adventurers, whose whole art consists in harassing your people, in order to pour into your treasury that metal, the possession of which is the sole end of this atrocious policy: in fine, they would, through impotence, and after a long train of calamities, have violated public faith, and brought dishonour upon your reign.—You interrupt us, sire; your humanity revolts; you accuse us of depicting, in gloomy colours, projects which you think no man would have had the temerity to approach you with.

“But, sire, we judged of what they wished to do, by what they have done already: they have defamed us; they have made you imagine that the National Assembly would not attend to the task assigned to it; they have prevailed on you to declare, that the wishes of the people being known to you by their list of grievances, you would of yourself effect the purposes for which we are called together. Such is the secret of their hearts, and such the sole object of their desires. They wished
to

to render us useless ; they wished to dissolve us, they wished to repulse the constitution, and strangle it in its cradle.

“ Let them assert it, if they dare : but would the nation have placed any confidence in the labours of the ministry ? Who else but the ministers have plunged the nation into the disasters which at present overwhelm her ? Could she have forgotten that no tax can be legal without her consent ; that borrowing on the supposition of taxes, can deserve no confidence, if it hath not her sanction ; that force is nothing but robbery, when employed to levy contributions not only condemned by principles, but solemnly declared illegal by your majesty ?

“ They must, therefore, have been soon obliged to convene a new assembly : but what grounds had administration for supposing that our successors would be less steady than ourselves, that they would combat less vigorously all feudal usurpations, that they would assert less courageously the people’s rights, that they would betray the cause of liberty ? That second National Assembly might either have proved weak and timid ; and then, considered as a nullity, it would have met with nothing but contempt ; or, firm in its principles, unshaken in its demands, your ministers must have dissolved it, and dared to plan new outrages.

“ If administration hope that bankruptcy would exempt them from having recourse to the nation, the first, the most sacred of your majesty’s intentions would thereby have been betrayed. But what would have been the consequence ? The despair of some, the indignation of all, the general hatred to authority, would have driven them into expences which no arithmetick could calculate * : the state would have been relieved from one burthen, only to bear another still more grievous ;
for

* Dépenses incalculables.

for we may conceive the idea of labour and courage uniting to repair with usury the sacrifices required by the public good; but laborious and productive industry gives place to dejection and to idleness wheresoever nothing reigns but murmuring and misery. Bankruptcy, therefore, at such a fatal conjuncture, would only have dried up all the sources of prosperity, and added to poverty a more melancholy and oppressive degree of indigence.

“ Judge, sire, of the future by the past, and vouchsafe to represent to your imagination the mode in which the authors of such villainy would conduct themselves in that catastrophe. Would they diminish their prodigality? Would they set the example of obedience to the laws, of respect for a generous nation? Was it with a view of regenerating the kingdom, that they endeavoured to strangle public spirit in its birth, to breed distrust between you and the National Assembly, to interrupt that commerce of wisdom and good counsels, which ought ever to subsist between the people and the king?

“ We have hitherto forborne to touch upon the worst evil of all; but we will dissemble it no longer: these ministers would sacrifice the comfort of your reign. But were these fabricators of violence right sure that every thing would have bent under the impetuosity of their movements; that the despair of the people would have been easily kept down; and five-and-twenty millions of Frenchmen would have submitted to their despotism; that the national soldiers, indifferent about liberty, indifferent about those laws which, nevertheless, protect them, would not, when after their discharge they re-entered into civil order, have made their option between the obedience of the soldier and the patriot zeal of the citizen?

“ Had

“ Had they entered into compacts with foreign princes? Were they certain that offensive policy, pretensions, ancient rights, jealousies, vengeance would have slumbered? Have they not exposed the kingdom to all those evils that never fail to assault a country which discord hath distracted, which its weakness and disunion seem to mark out for a prey to the invader?

“ You have vouchsafed, sire, to summon us, in order to consult with you upon the welfare of the state: we have, therefore, the sacred pledge of your confidence and of our commission from the nation, and cannot be suspected, since we cannot be supposed to have any other interest than the public good, which is essentially your own. Surely, sire, in this twofold relation in which we stand, we should be traitors, were we to conceal from you a single particle of the truth.

“ Your wisdom hath prevented the most alarming calamities; but your indulgence ought not to protect those who have dug under our feet the abyss which you yourself have just closed up.

“ It is enough that they would have robbed us of your majesty’s affection; it is enough that they would have run the risk of letting *your* name appear in that system of calamity which they were preparing for the people, for us never to behold, in them, persons worthy to co-operate with *you* in your sublime exertions.

“ * It is impossible for us to repose any confidence in a man, who, after acquiring a right to immortality by defending the state, hath shewn himself ready to employ, in enslaving the people, that art which is the guardian of liberty, and who hath caused us to fear for our country all the mischiefs which war should repel from it.

* He hath hitherto attacked the ministers conjointly; he now begins to attack them severally. W.

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“ It is impossible for us to repose any confidence in a head of the law, who hath shewn himself the most active enemy of a constitution, without which all judicial proceeding, even amongst virtuous magistrates, are but a formidable game of hazard, and who, abusing the power which, in consequence of his place, he exercises over every printing-press in the kingdom, hath exerted all his influence to stop the circulation of knowledge.

“ It is impossible for us to repose confidence in a minister, who, contrary to the known intentions of the king, hath not scrupled, in the sight of the assembled nation, to lavish arbitrary commands to that active inquisition which looks for the safety of empires in the perfection of a spy.

“ Will the nation ever believe that perfect harmony subsists between your majesty and us, if the ministry is suspected, if it is considered as the enemy of our labours, if it is supposed to have yielded, for a moment, to necessity and to your wisdom, for no other end than to entangle us unceasingly in new snares?

“ Inconveniencies of every kind result from the open distrust between us and the administration; we have more than suspicion of their hostile designs; they have something more than doubt of the sentiments which they have provoked within our bosoms: ought a prince, who is the friend of his people, to be surrounded with our enemies?

“ We pretend not to dictate to you the choice of your ministers; they ought to be such as please you: to be agreeable to your inclinations, is a necessary condition in order to become your servants: but, sire, when you come to consider the fatal course into which your advisers would have seduced you; when you reflect on the discontent of the capital, which they besieged and would have starved, on the blood with which they
drenched

drenched it, on the horrors which can be imputed to themselves alone, all Europe will think you clement if you deign to pardon them."

This address, earnestly applauded, earnestly supported, was however, not adopted, as news arrived, while the assembly was sitting, that Messieurs *de Bréglia*, *de Villedeuil*, and the keeper of the seals, were dismissed from the administration.

It was only decreed, that a deputation should request the dismissal of such of the new ministers as still remained in place, and the recall of M. *Necker*.

In the course of the debate, M. *Mounier* had asserted that the National Assembly ought not to have any influence, either with regard to the dismissal or the recall of ministers; and adduced the example of England, where the parliament had never been able, although desirous of so doing, to interfere in the appointment of an administration, and that any attempts of that kind had always given rise to factions and disturbances which were highly censurable.

M. DE MIRABEAU.

"I N a case so urgent, I might avoid all controversy, since the member who spoke last, being obliged to admit that, as the king hath consulted us, it is our right and our duty to propose to him what we deem expedient, makes no opposition to the address for the dismissal of the ministry. But I do not think that any one should be suffered, in this assembly, to violate principles, even in a speech, and to compound with self-love at the expence of verity.

"If there is an impious and detestable maxim existing, it must be that which would interdict
the

the National Assembly from declaring to the sovereign that his people hath no confidence in his ministers. Such an opinion attacks at once both the nature of things, and the essential rights of the people, and the law of ministerial responsibility, a law which we are commissioned to enact; a law still more important, if possible, to the king than to his people; a law which never will be freely executed, unless the representatives of the people have the first blow, in all matters of accusation*, if I may be allowed so to express myself.

“ What? How long is it since the blessings and the curses of the people have ceased to proclaim its judgment respecting good or guilty ministers? Why should a nation which is represented, weary itself out with vain murmurs, with barren imprecations, rather than make its voice be heard through organs which are sworn to convey it? Hath not the people placed the throne between heaven and itself, in order to realize, as far as human kind can do it, eternal justice, and anticipate its decrees, at least for the happiness of this world?

“ But do you wish to confound the different powers?—

“ We shall soon have occasion to examine this theory of the three powers, which, when exactly analysed, will perhaps shew the aptitude of the human mind to take words for things, formularies for arguments, and follow the routine of a certain order of ideas, without ever stopping to consider the intelligible definition which it hath taken for an axiom. The valorous champions of *the three powers* will then endeavour to make us comprehend what they mean by this grand distribution of *three powers*; and, for example, how they

* L'initiative de l'accusation.

they conceive the judiciary power to be distinct from the executive power; or likewise the legislative power without any share in the executive.

“ It is sufficient for me at present to say to them: You forget that that very people, to which you oppose the limits of the three powers, is itself the source of all these powers, and alone enabled to delegate them. You forget that it is with the sovereign you are disputing the control of the administrators. You forget, in fine, that we, the representatives of that sovereign; we, in whose presence all the powers are suspended, and even those of the head of the nation, if his conduct agrees not with our own—you forget, I say, that we pretend not either to place or displace the ministers by virtue of our decrees, but merely to make known the opinion of our constituents with respect to such or such a minister. With what face can you refuse us this simple right of declaration, when you allow us that of accusing them, of prosecuting them, and of creating the tribunal which is to punish those fabricators of iniquity, whose works, with a palpable inconsistency, you propose that we should contemplate in respectful silence? Do you not perceive, then, in how much better a state I place the governors than you do? how much more moderation I display? You allow no medium between a melancholy silence and a bloody prosecution. To hold your peace, or to punish; to obey, or to strike; therein consists your whole system. For my own part, I give notice before I proceed to prosecution; I make exceptions before I hurl reproach; I offer a retreat to rashness or incapacity, before I pursue them as crimes. Is there any one amongst us who shews more-moderation and equity?

“ But look, you say, at Great-Britain! What popular commotions are not caused in that kingdom, by this very right which you lay claim to?

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It is this that hath ruined England—England ruined! Mighty God! What unfortunate intelligence! From what quarter did the mischief come? What earthquake, what convulsion of nature hath swallowed up that famous island, that inexhaustible treasury of illustrious examples, that classic country of the friends of liberty?—But you give me comfort—England still flourishes for the eternal instruction of the world: England, in a glorious silence, is now healing those wounds which in the height of a burning fever she inflicted on herself! England displays all the various arts of industry, explores every source of human prosperity, and even now hath just filled up a vast chasm in her constitution, with all the vigour of the most energetic youth, and the imposed maturity of a people grown old in state affairs.—You are thinking, then, merely of some parliamentary dissensions (there, as in other places, it is often no more than talk, which hath no other importance than the interest of loquacity); or rather, it seems to be the last dissolution of parliament which affrights you to this degree.

“ I will not say, that, according to what you have advanced, it is evident that you are acquainted with the causes and the particulars of that great event, which is not a revolution, as you are pleased to call it; but I will say, that that example affords a proof irresistible, that the influence of a national assembly over an administration can never be calamitous, since that influence is null, the very moment the senate abuses it.

“ In fact, what hath been the issue, in this uncommon circumstance, where the king of England, supported by a very weak minority, did not hesitate to cope with the national assembly, formidable as it was, and dissolve it? On a sudden, the fantastic edifice of a colossal opposition tottered

on its frail foundation, on that aspiring and factious coalition which seemed to threaten a universal usurpation*. And what was the cause of this so sudden change? The cause was, that the people was of the king's opinion, and not of that of the parliament. The supreme magistrate of the nation quelled the legislative aristocracy by a simple appeal to the people, to that people which hath never but one interest; because the public welfare is essentially its own. Its representatives, invested with an invisible power, and with almost a real dictatorship when they are the organs of the general inclination, are no more than powerless pigmies when they dare to substitute, in place of their sacred mission, the interested views and passions of private individuals.

“ Let us yield ourselves, then, fearlessly, to the impulse of public opinion; far from shrinking back, let us call out incessantly for the universal control; it is the incorruptible sentinel of our country; it is the first auxiliary instrument of every good constitution; it is the only watch, the sole and powerful compensation, for every vicious constitution; it is the sacred guarantee of the peace of civil society, with which peace no individual, no interest, no consideration can be weighed in the balance.”

SEPTEMBER 1, 1789.

ON this day was discussed the grand question of the VETO; and we must say, that it had never been known that the assembly contained so many men.

* I thought the French patriots and the English opposition were better friends than this oration seems to indicate. W.

men of talents, as appeared in the tribune on this important occasion.

Already had Messieurs *de Liancour, Salle, Rabaut de Saint-Etienne, Malouet, and Pethion de Villeneuve*, delivered their opinions.

M. DE MIRABEAU.

“GENTLEMEN”

“IN the best organized monarchies, the royal authority is always an object of fear to the best citizens :

“ When I delivered my sentiments upon the royal sanction, I partly spoke, and partly read : if every thing I said is not to be found here, at least nothing will be found here which I have not said. The indulgence of an assembly is much greater than that of readers ; I am therefore really making a sacrifice of my self-love in obedience to the assembly, by suffering this speech to be printed. It is become impossible, from the course followed by the National Assembly, to write any thing carefully, or even to organize any work. It is equally impossible to meditate matter, unless one hath a great deal of time beforehand. Whoever goes to the National Assembly without principles ready fixed, will run the risk of embracing no opinions there but such as are exceedingly unwise.

“ There hath appeared, however, upon the noble subject of the royal sanction, a book written by the Marquis *de Cazaux*, entitled, *A clear Idea of a Constitution*, which is an inexhaustible mine of sound and profound notions, by which I have much profited ; for example, all that part of my speech relating to the permanence of the National Assemblies, is an extract from it.

“ I look upon this book of *M. de Cazaux* to be that work of genius which hath produced the revolution. I do not know a single journal that hath mentioned it, and, to judge of it by the principles solemnly laid down on this occasion in the assembly, it hath been very little read by the representatives of the nation.—*Note of M. de Mirabeau.*

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citizens: he whom the law places over all, easily becomes the rival of the law. Sufficiently powerful to protect the constitution, he is frequently tempted to destroy it. The uniform progress of regal authority every where, hath taught us but too well the necessity of watching it. This distrust, salutary in itself, leads us naturally to desire to restrain a power so formidable. In spite of ourselves, a secret terror prevents us from approaching the means with which the supreme head of the nation must be armed, to the end that he may perform the functions which are assigned to him.

“ However, if we coolly consider the principles and the nature of monarchical government, erected upon the basis of the people’s sovereignty; if we attentively examine the circumstances which occasion its formation, we shall find that the monarch ought to be considered rather as the protector of the people, than as the enemy of their prosperity.

“ Two powers are necessary to the existence and to the functions of the body politic; that of willing; and that of acting. By the first, society enacts the laws which are to lead her to the end proposed, which is, incontrovertibly, the good of the whole. By the second, those laws are executed; and the public force enables society to triumph over the obstacles, which that executive power might meet in the opposition arising from the private interest of individuals.

“ In a great nation, these two powers cannot be exercised by itself; hence the necessity for representatives of the people, to exercise the faculty of
F willing,

What is here said of the fate of this production of M. de Cazaux, puts me in mind of an observation made on the French reviewers by the author of the *Tableau de Paris*: “ On employera un silence perfide et prémédité.” W.

willing; or the legislative power; hence also the necessity for another kind of representatives to exercise the faculty of acting, or the executive power.

“ The more considerable the nation is, the more does it import that this latter power should be active; hence the necessity of one sole and supreme chief of a monarchical government in extensive states, where convulsions, dismemberments would be extremely to be apprehended, if there did not exist a force sufficient to unite the several parts, and turn their activity towards one common centre.

“ These two powers are equally necessary, equally precious to the nation. This however, is worthy of remark; that the executive power, acting continually upon the people, is more immediately connected with it; that, charged as this power is with the care of maintaining the equilibrium, of counteracting the partialities, the preferences towards which the smaller number continually tends, to the prejudice of the greater, it is of importance to that people, that that power should constantly possess effectual means of supporting itself.

“ These means consist in the right conferred on the supreme head of the nation, of examining the acts of the legislative power, and of granting or refusing them the sacred stamp of law.

“ Called upon by the very nature of his institution, to be at once the executor of the law, and the protector of the people, the monarch might be compelled to turn the public force against the people, if his intervention was not requisite for completing the acts of legislation, by declaring them conformable to the will of the community.

“ This prerogative of the monarch is particularly essential in every state, where the people, incap-

incapable of exercising, in any shape, the legislative power, is obliged to entrust it to representatives.

“ As, from the nature of things, it must necessarily happen, that, in the election of representatives, the choice will not be directed to the most worthy, but to those whom, situation, fortune, and particular circumstances seem to mark out as persons who can willingly sacrifice their time to the business of the public, there will always result from the election of those representatives of the people, a kind of virtual aristocracy, which, incessantly tending to acquire a legal consistence, will become alike hostile to the monarch, with whom it will wish to put itself on an equality, and to the people, whom it will constantly endeavour to abase.

“ Hence that alliance, so natural and so necessary, between the prince and the people against every species of aristocracy; and as this alliance is founded upon their having the same interests, the same apprehensions, they must have the same object, and consequently the same will.

“ If, on one hand, the greatness of the prince depends on the prosperity of the people, on the other, the happiness of the people rests chiefly upon the tutelary power of the prince.

“ It is not, therefore, for his particular advantage that the monarch interferes in legislation, but for the interest of the people; and in this sense it is, that we can and ought to say, that the royal sanction is not the prerogative of the monarch, but the property, the domain of the nation.

“ I have hitherto supposed an order of things to which we are making great strides, I mean an organised and constituted monarchy; but, as we are not yet arrived at such an order of things, I must explain myself clearly. It is my opinion, that

the right of suspending, and even of putting a stop to the action of the legislative body, ought to belong to the king when the constitution shall be settled, and the sole question be the preservation of it. But this right of stopping, this *veto*, must not be exercised, when the question is concerning the formation of the constitution: I do not see how you could dispute the people's right of giving itself a constitution, by which it chooses to be governed henceforward.

“ Let this point, therefore, be the sole object of our inquiry, whether, in the constitution which we are about to form, the royal sanction ought to enter as an ingredient in the legislature.

“ Undoubtedly, to him who seizes only the surface, strong objections will present themselves against the idea of a *veto*, exercised by any individual whatsoever, in opposition to the wishes of the representatives of the people. When we suppose the National Assembly, composed of its true elements, presenting to the prince the fruits of its deliberations, offering up to him the result of the most free and most enlightened discussion, the produce of all the knowledge and information it could gather together, that, one would think, is all that human prudence requires the stating, I will say not only the general will but likewise the general understanding; and, undoubtedly, in this abstract point of view, it may seem repugnant to good sense to allow that a single person should have a right to answer: I oppose this general will, this general understanding. This idea even becomes still more unpalatable, when it is to be settled by the constitution, that the man armed with this terrible *veto* shall be likewise armed with the whole public force, without which the general will can never be certain of being executed.

“ All these objections vanish before this important truth, that, without the right of resistance in
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the hands of the depositary of the public force, that force might frequently be employed, in spite of him, to execute a will that was contrary to the general will.

“ Now, to prove, by an example, that this danger would exist, were the prince despoiled of the *veto* upon all legislative propositions which might be presented to him by the National Assembly, I ask you only to suppose an improper choice of representatives, and two interior regulations, already proposed and authorized by the example of England ; namely :

“ The excluding the public from the house of assembly upon the simple requisition of a member ; and the interdicting the public papers to give an account of the debates.

“ These two regulations once obtained, it is evident that the next step, and that very quickly, would be the expulsion of every indiscreet member ; and the terror of the despotism of the National Assembly operating upon the assembly itself, nothing further would be wanting, under a weak prince, than a little time and address to establish *by law* the domination of twelve hundred aristocrats, reduce the royal authority to be nothing but the passive instrument of their will, and replunge the people into that state of degradation, which ever accompanies the servitude of the prince.

“ The prince is the perpetual representative of the people, as the deputies are its representatives elected for a certain term. The rights of the one, like those of the others, are founded only on the interest of those who gave them their political existence.

“ None exclaims against the *veto* of the National Assembly, which, in fact, is only the right of the people intrusted to its representatives, in order to be opposed to every proposition which might tend to the re-establishment of ministerial despotism.

despotism. Wherefore, then, exclaim against the *veto* of the prince, which is likewise but a right of the people *intrusted specially to the prince*, since the prince is as much interested as the people in preventing the establishment of aristocracy?

“ But, it is said, the deputies of the people in the National Assembly, being invested with a power for a limited time only, and having no share in the executive power, the ill use which they might make of their *veto* can never be attended with such fatal consequences, as those which would ensue where an unremoveable prince opposed a law that was just and reasonable.

“ In the first place, if the prince hath not the *veto*, who shall hinder the representatives of the people from prolonging, and, soon after, from eternizing their duration? (It was thus that the Long Parliament overturned the political liberty of Great-Britain, and not, as you have been told, by suppressing the House of Peers.) Nay, who shall hinder them from appropriating to themselves that part of the executive power which disposes of employments and favours? Will there be wanting pretexts to justify this usurpation? Places filled so scandalously! Favours prostituted so unworthily! &c.

“ Secondly, the *veto*, whether of the prince or of the deputies to the National Assembly, possesses no other virtue than that of quashing a single proposition: there can result, then, from the *veto*, of whatever kind it be, only an inaction of the executive power with respect to the measure in question.

“ Thirdly, the *veto* of the prince may, doubtless, oppose the passing of a good law; but it may likewise preserve us from a bad one, the possibility of which last is incontestable.

“ Fourthly, I will suppose that the *veto* of the prince does actually prevent the enactment of a law framed with the deepest wisdom, and most advantageous

rageous to the nation; what will be the consequence, if the *ANNUAL return of the National Assembly* be as solidly secured as the crown upon the head of him who wears it; that is to say, if the annual return of the National Assembly be secured by a law *truly constitutional*, which forbids, under pain of conviction of incapability, the proposing either the grant of any kind of impost, or of the military establishment, for more than one year? Let us suppose that the prince hath made use of his *veto*; the assembly will first determine, whether the use which he hath made of it is, or is not, followed by consequences inimical to liberty. In the second case, the difficulty raised by the interposition of the *veto* being found of no avail, or of very slight importance, the National Assembly will vote the impost and the army for the ordinary term, and then all will remain in the order already established.

“ In the first case, the assembly will have divers means of influencing the king's will; it may refuse the taxes; it may refuse the army; it may refuse both one and the other, or merely vote them for a very short term. Whatever may be the measure adopted by the assembly, the prince, threatened with a paralytic stroke to the executive power at a certain period, is reduced to the sole expedient of appealing to his people by a dissolution of the assembly.

“ If, then, at such a juncture the people should return the same deputies to the assembly, will it not necessarily follow that the prince must *obey*? for that is the true word, whatever idea he may hitherto have conceived of his pretended sovereignty, when he ceases to agree in opinion with his people, and the people knows what it is about.

“ Suppose now the right of the *veto* taken away from the prince, and the prince obliged to sanction an unjust law; you have no longer any hope but in a general insurrection, the happiest issue of

of which would probably prove more fatal to the unworthy representatives of the people than the dissolution of their assembly. But is it very certain that such an insurrection would prove fatal only to the unworthy representatives of the people?—I see there still a resource for the partisans of ministerial despotism. I see there the imminent danger to the public peace disturbed, and perhaps violated. I see there the almost inevitable combustion, but too long dreaded in a state where a revolution so necessary, but yet so rapid, hath sown the seeds of division and hatred, which the establishment of the constitution, by the successive labours of the assembly alone, can stifle in their birth.

“ You see, gentlemen, I have all along supposed the permanence of the National Assembly, and have even drawn from it all my arguments in favour of the royal sanction, which appears to me the impregnable rampart of political liberty, provided the king will never persist in his *veto* without dissolving, nor dissolve without immediately convening another assembly; because the constitution must not suffer the community to be at any time without representatives; provided that a constitutional law declares all the taxes, and even the army, annulled of right, three months after the dissolution of the National Assembly; provided, in fine, that the responsibility of the ministers should always be insisted on with the most inflexible rigour; and, although the affairs of the public were not to improve, each year, by the progress of the public understanding, would it not yet be sufficient to glance our eyes upon the formidable extent of our duties, in order to determine us to declare the annuality * of the National Assembly.

“ This

* I cannot find this word in Johnson's Dictionary; nevertheless I adopt it for want of a better. W.

“ The finances alone demand, perhaps for half a century, our legislative labours.

“ Which of us, I will be bold to ask, hath calculated the immediate action, and the more remote re-action of that multitude of taxes which is crushing us under its weight, upon the general opulence, taxes which we are now sensible that we can no longer do without?

“ Is there any one of our taxes, the influence of which upon the comfort of the labourer we have dreamt of examining into, comfort without which no nation can ever be rich?

“ Do you know to what extent inquisitors, spies, and informers secure the product of some? Are you sufficiently aware, that it is the genius of the treasury to have recourse only to the musket, the gibbet, and the galleys, to prevent the diminution of the rest?

“ Is it impossible to imagine any thing less ridiculously absurd, less horribly partial, than this system of finance, which our grand financiers have hitherto considered as so well balanced?

“ Have we clear ideas of property? and are these ideas sufficiently spread abroad amongst men, to assure the laws that they will produce that sort of obedience which the thinking man never refuses, and which the honest man holds in honour?

“ Will you ever have any public credit in this kingdom, as long as you have no law to assure you, that the nation annually assembled shall receive from the ministers of the finances an exact account of their stewardship; that all the creditors of the state may, every year, demand from the nation the payment of the interest due to them; that, in fine, every year the stranger may know where to look for that nation, which will always be afraid of dishonouring itself, a circumstance

stance which will never give the ministry any disquiet?

“ If you pass from the finances to the code civil and criminal, do you not perceive that the impossibility, at least before a long time hath elapsed, of drawing up one which may prove worthy of you, cannot exempt you from profiting by that knowledge which will be the acquisition of each year? Will you likewise rely, for those provisional improvements which may be adapted to circumstances, on ministers who will imagine that they have done all, when they shall have said, *The king is acquainted with the whole business, for I have apprised him of the whole business, and I have only executed his positive orders, which I myself told him to give me?*

“ Perhaps, to remove to a greater distance the return of National Assemblies, they will propose to you an intermediate commission. But this intermediate commission will either do what the National Assembly would have done, and, in that case, I do not see why the latter should not be re-assembled; or it will not be able to do what the assembly would have done, and, in that case, will not prove a succedaneum. Do you not perceive also, that this commission would become the body from which the ministry would be recruited, and that, in order to attain promotion, the members would insensibly become the docile instruments of court intrigue?

“ It hath been insisted, that the want of public spirit is an obstacle to the annual return of the National Assembly. But how are you to form that public spirit better, than by approximating the periods at which each citizen will be called upon to give proofs of it? Was it possible for that public spirit to exist, when the fatal division of the orders was absorbed in every thing which it did not de-
grade;

grade ; when all the citizens, high and low, had no other resources against humiliations and contempt, and no other compensation for their political insignificance *, than the theatre, the chase, intrigue, cabal, gaming, every vice under the cope of heaven ?

“ The immense expence attending an election and an annual National Assembly, hath been urged as an objection against them !

“ The whole is calculated ; three millions form the groundwork of this grand objection. And what are three millions to a nation that pays six hundred, and which would not have three hundred and fifty to pay, if for these thirty years past she had had an annual National Assembly ?

“ It hath even been said to me, *Who will wish to become a member of the National Assembly*, if it is to have annual sessions ?—And to these extraordinary words I answer, Not you, who ask the question—but every worthy member of the clergy, who shall be willing and able to prove to the unfortunate, how useful is the clergy—every worthy member of the nobility, who shall be willing and able to prove to the nation, that the nobles likewise can serve it in more ways than one—every member of the commons, who may wish to say to every nobleman, proud of his title, How often have you sate amongst the legislators ?

“ In fine, the English, who have done every thing, yet assemble every year, and always find something to do—and the French, who have every thing to do, are not to assemble every year !—

“ We shall have, then, a permanent assembly ; and this sublime institution will, in itself alone, become a sufficient counterpoise to the royal *veto*.

* Leur nullité.

“ What !

“ What! say those who take alarm at a great power, because they judge of it only by its abuses, the royal *veto* to be unlimited! Should there not be a moment determined by the constitution, when this *veto* could no longer shackle the legislative power? Would not that government be a despotism, where the king could say: This is the will of my people; but mine is contrary to it, and it is mine that shall prevail?

“ They who are troubled with this apprehension, propose what they term a *veto suspensive*: that is to say, that the king shall have the power of refusing his sanction to a legislative project which he disapproves; he shall have the power of dissolving the National Assembly, or of waiting for a new one; but, if that new assembly re-propose to him the same law which he hath already rejected, he shall be obliged to receive it.

“ Herein consists the whole force of their argumentation. When the king refuses to sanction the law which the National Assembly hath proposed to him, it is to be supposed that he deems that law to be contrary to the interests of the people, or that it encroaches on the executive power, which resides in him, and which it is his duty to defend: in this case he appeals to the nation, the nation elects a new legislature, intrusts its wishes to its new representatives, consequently it declares its will; the king then must either submit, or deny the authority of that supreme tribunal, to which he himself had appealed.

“ This objection is very specious, and if I am able to perceive the falsity of it, it is only from having examined the question under all its aspects: but we have already had an opportunity of seeing, and it will become still more observable in the course of the debate, that,

“ 1. It

" 1. It supposes falsely that it is impossible that a second legislature should not convey the wishes of the people.

" 2. It supposes falsely that the king will be tempted to prolong his *veto*, in opposition to the known wish of the nation.

" 3. It supposes that the *veto suspensive* is attended with no inconveniences; whereas, in many respects, it hath the same inconveniences as if the king were allowed no *veto* *.

" It was necessary to render the crown hereditary, in order that it might not prove a perpetual cause of civil dissensions; thence resulted the necessity of rendering the king's person unblameable and sacred, without which the throne could never

* " This arrangement is certainly not what should be expected in a well-digested speech. But when, in consequence of a very defective mode of discussion, they have, among us, rendered it physically impossible to debate, and laid each author of an opinion under the necessity of waiting three days, in order to refute objections which are sometimes forgotten by those who made them (lucky if he gets an opportunity even then), the man who loves the public welfare better than his own reputation, is obliged thus to anticipate, and, as far as in him lies, to get possession of the assembly beforehand, or he will not have it in his power to reply. I demanded yesterday the liberty of replying; it was refused me: I dare believe, however, that I had driven the partisans of the *veto suspensive* to their last entrenchments.

" I venture to promise that I will invincibly establish these three points against every objection which the partisans of the *veto suspensive* may raise against the royal sanction, when at the conclusion of the debate I shall have liberty to answer them. At present, I only ask them to reflect on the formidable power with which the king of a great empire is necessarily invested, and how dangerous it is to provoke him to turn it against the legislature, as must infallibly happen, if they determine upon any one moment whatever, when he sees no way of escaping the necessity of promulgating a law to which he hath not consented."

Note of M. de Mirabeau.

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have been sheltered from the attempts of the ambitious. Now what power is there not already in the hands of a chief, who is rendered hereditary and inviolable? Shall his refusing to execute a law, which he deems contrary to those interests, of which his character of head of the executive power makes him guardian—shall such a refusal, I say, suffice to hurl him from his high prerogatives? That would be destroying with one hand what you had built up with the other; it would be coupling to a precaution of peace and security, the means most proper to raise continually the most dreadful tempests.

“ Let us pass from this consideration to the instruments of power, which ought to be in the hands of the supreme head of the nation. It is over five-and-twenty millions of men that he is appointed to command; it is over every point of an extent of thirty thousand square miles that his power must be, without intermission, ready to shew itself for the purposes of protection or defence: and will any one pretend, that the chief, the lawful depositary of the means which such a power requires, may be obliged to execute laws to which he hath not given consent? But, through what dreadful troubles, through what convulsive and sanguinary insurrections would they send us to combat the resistance of the royal power? When the law is under the safeguard of public opinion, its sway is truly imperious over the ruler whom you have armed with the whole public force: but which is the moment when we may reckon upon this empire of public opinion? Is it not when the head of the executive power hath himself given his consent to the law, and when that consent is known to all the citizens? Is it not then, and then alone, that public opinion sets the law irrevocably above him, and compels him, under

der pain of becoming an object of general horror, to perform what he hath promised; for his consent, in quality of head of the executive power, is nothing else than a solemn engagement to execute that law on which he hath just conferred his sanction?

“ And let it not be said, that the generals of armies are depositaries of very important powers, and are, nevertheless, obliged to obey the orders of their superiors, be their opinion what it may with respect to the nature of those orders. The generals of armies are not hereditary chiefs; their persons are not inviolable; their authority ceases in the presence of him whose orders they perform; and, if the comparison is to be pushed still further, we must necessarily admit that those are, for the most part, but very indifferent generals, who carry into execution dispositions which they have not approved. Such then are the dangers which you are going to risk. And for what object? Where is the real efficacy of the *veto suspensive*?

“ Is it not expedient, as in my system, that the constitution should take certain precautions against the royal *veto*? Should the king overturn those precautions, will he not easily set himself above the law? Your plan, therefore, is useless, even in your own theory; and I will prove it to be dangerous in mine.

“ The refusal of the royal sanction can be supposed only in two cases:

“ In that where the monarch should deem that the proposed law would prove injurious to the interests of the nation; and in that where, deceived by his ministers, he should resist laws that were contrary to their private views.

“ Now, in both the one and the other of these suppositions, the king or his ministers, being deprived of the capability of obstructing the law by
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the peaceful means of a legal *veto*, would they not have recourse to an illegal and violent resistance, according as they considered the law to be of more or less importance? Can it be doubted that they would prepare their means long beforehand? For it is always easy to form a notion of the degree of attachment which the legislature will entertain for its law. It might happen then, that the legislature might find itself chained down, at the very moment marked by the constitution for rendering the royal *veto* ineffectual; whereas, if that *veto* remains always in force, illegal and violent resistance becoming useless to the prince, he can no longer employ it, without revolting, in sight of the whole nation, against the constitution; a circumstance which soon renders such resistance extremely dangerous for the king himself; and particularly for his ministers. Observe that this danger is no longer the same, when the prince hath only opposed a law to which he hath not consented.

“ In this latter case, as violent and illegal resistance may always be supported by plausible pretexts, the revolt of the executive power against the constitution always finds partisans, particularly when it is the measure of the monarch. With what facility did not Sweden return into the arms of despotism, by desiring that her king, although hereditary, should be only the passive and blind instrument of the will of the senate!

“ Let us not, then, arm the king against the legislative power, by letting him perceive any moment whatsoever when his consent might be dispensed with, and when, consequently, he would be no more than a blind and forced executor. Let us be convinced, that the nation will find more safety and tranquillity in laws expressly consented to by its ruler, than in resolutions in which he had no share, and which were repugnant to that

that power wherewith, in every state of the case, he should be invested. Let us be convinced, that, from the moment we have placed the crown in a particular family, from the moment we have made it the patrimony of the eldest sons, it becomes imprudent to alarm them, by subjecting them to a legislative power, the force of which remains in their hands, and where, nevertheless, their opinion might be contemned. This contempt at length attaches to the person; and the depositary of all the force of the French empire cannot be contemned, without the greatest danger.

“ By a consequence of these considerations, which are warranted by the human heart, and by experience, the king ought to have the power of acting upon the National Assembly, by sending it back to a re-election. This kind of action is necessary, in order to leave the king a legal and peaceful method of carrying through, in his turn, those laws which he may deem beneficial to the nation, and which the National Assembly might be inclined to obstruct: nothing would be less dangerous; for the king must be perfectly sure of the disposition of the nation, before, in order to pass a law, he hath recourse to an election of new members: and when the nation and the king unite in desiring a law, the resistance of the legislature can be ascribed but to two causes; either the corruption of its members, and in that case their removal is a benefit; or a doubt with respect to the public opinion; and then the best mode of coming to a knowledge of it is, unquestionably, an election of new members.

“ I sum up all, gentlemen, in one single word: annuality of the National Assembly; annuality of the army; annuality of the taxes; responsibility of the ministers; and the royal sanction, without any written restriction, but completely limited in fact, will be the *palladium* of national freedom,

and the most valuable exercise of the liberty of the people."

It was ordered, that this speech should be printed; after which the house broke up.

OCTOBER 30, 1789.

On this day was resumed the motion of M. de Mirabeau relative to the non-property of the clergy.

Messieurs le Brun and Mirabeau the younger first delivered their sentiments. Both were of opinion that the motion should be rejected.

M. DE MIRABEAU.

"GENTLEMEN,

"WHEN a great nation is assembled, and examines a question which interests a considerable portion of its members, an entire class of the community, and a class exceedingly respectable; when this question seems to affect at once the inviolable laws of property, public worship, political order, and the primary foundations of civil society; it is of the utmost consequence that it should be handled with religious caution, discussed with a wise scrupulosity, above all considered, in order to do away even the suspicion of error, under the most remote points of view.

"The question concerning the property of the clergy is certainly of this number. A multitude of members hath already discussed it with a solemnity worthy of its importance. I do not think, however, that the subject is yet exhausted.

"Some amongst them have considered it only as relative to the public interest: but this motive, however important it may be, would not warrant our decreeing that the estates of the clergy belonged to the nation, if by that we were to violate the property of a great many of its members. You have

have been told, that nothing is useful which is not just; and certainly we all admit the principle.

“ Others have talked of the influence which such a degree would acquire over public credit; of the immense mortgage that it would offer to the creditors of the state; of the confidence that it would revive, at a juncture when confidence seems daily to remove farther and farther from our hopes: but take care, gentlemen, how you imagine that such a motive were sufficient, if the declaration proposed to you was destined only to sanction a usurpation. True credit is but the result of every kind of confidence; and no confidence could be durable where the violation of a single, but immense property, by that sole circumstance threatened all the rest. Sooner than save the empire by such an expedient, it were better for us, be the dangers which surround us what they may, to trust ourselves to that eternal Providence alone which watches over nations, and over those who rule them. Therefore, it is not merely in this point of view that I intend to consider the said question.

“ The latter have argued it only upon the ground of its connections with those political corporations, which the law alone gives birth to, which the law alone destroys, and which, linked by that very circumstance to all the vicissitudes of legislation, cannot have secure property, since even their existence is not secure. But this consideration leaves still undetermined the point whether, on dissolving the body of the clergy in order to reduce it to its primary elements, in order to form of it but one collection of individuals and citizens, the estates of the church may not be considered as the property of private persons.

“ The former have more directly discussed the question of property, but observing, at the same time, that he who possesses by that title hath the right of disposing and transmitting, whereas no

ecclesiastic can sell; that the clergy, even as a body, cannot alienate; and that, if certain individuals be possessed of wealth, not one of them, at least in the order prescribed by law, hath a right to inherit wealth: these perhaps are not aware, that the principle which puts all property under the guardianship of public faith, should be extended to every thing which a citizen hath a right to enjoy; and that, in this point of view, possession is also a right, and enjoyment civil property.

“ In fine, others have discussed the question, by distinguishing different classes of ecclesiastical estates; they have endeavoured to shew, that there is not one of those sorts of estates, to which the name of property is applicable. But they have not, perhaps, sufficiently examined whether the religious foundations ought not to continue in existence, from this single reason, that they are foundations, and that, pursuant to the rules of our civil law, the founders had a right to the free disposal of their fortunes, and to direct in what manner they should in future be administered.

“ It is, gentlemen, in this last point of view that I mean to treat the question. The opinion of one of the greatest statesmen which modern times have produced, hath been already quoted to you upon this subject. I can neither wholly approve, nor yet combat that opinion: but I think I ought to begin by recalling it to your memory.

“ There is no doubt, said he, as to the incontestable right of government, in civil affairs, and of government and the church, in matters belonging to religion, to dispose of ancient foundations, to direct the revenues of those foundations to new objects, or better still, to suppress them altogether. Public utility is the supreme law, and ought not to be weighed in the balance either with a superstitious respect for what is called the intention of the founders (as if ignorant and shallow individuals

viduals had had a right to bind down to their capricious will generations then unborn), nor with the fear of injuring the pretended rights of certain corporations, as if particular bodies could have rights in opposition to the state. The citizens have rights, and sacred rights, which even society cannot violate; they exist independent of her; they are the necessary elements of which she is composed; and, when they enter into society, it is only to put themselves and all their rights under the protection of those same laws to which they sacrifice their liberty. But particular corporations exist neither by themselves, nor for themselves: they have been formed by society, and their existence ought to cease the moment they cease to be useful. No human work is made for immortality. Since foundations, still multiplied by vanity, would at length absorb all the estates and all the properties of individuals, we must, and may, at last, suppress that vanity. If every person that ever lived had had a sepulchre, there would have been a necessity for overthrowing those barren monuments, in order to find lands to cultivate, and for removing the ashes of the dead, in order to support the living.

“ For my part, gentlemen, I distinguish foundations into three sorts: those which have been made by our kings, those which are the work of bodies and aggregations politic, and those of simple individuals.

“ The foundations of our kings could have been made only in the name of the nation; a dismembering of the domains of the state, or a mode of employing the public revenue and the taxes paid by the people. It was, then, with this sort of property that they acquitted themselves of an important duty, and assuredly most of the church estates have had no other origin. Now, besides that kings are only the organs of the people; besides that nations are the heirs of kings, that they may resume whatever their kings have alienated, and

and are not in any wise bound by those august delegates of their powers ; it is still more evident that our kings have not endowed the church in the same sense in which they have enriched the nobility, and that all they meant was, to provide for a public expenditure. As christians and heads of the state, they owe us the example of their piety ; but, doubtless, it was as kings that they were so liberal in their piety.

“ It hath been already asserted, that the nation had a right to resume the domains of the crown, for this sole reason, that the principle upon which those estates were consecrated, was to provide for the general expences of the regal dignity. Why then might not the nation declare herself proprietor of her own estates, granted out in her name for the service of the church ? Kings have private virtues ; but their justice and their liberalities belong solely to the nation.

“ What I have been just saying with respect to royal foundations, I may equally apply to those which were the work of aggregate bodies. It is by uniting these bodies that the nation is formed, and each owes as a part what the nation owes as a whole. Now, if it is true that the state owes to each of its members the expence of public worship ; if it is true that religion is amongst the number of those necessities which appertain to the whole society, and which are only the result of each of its parts in particular, the monuments of the piety of the bodies which compose the state, can no longer be considered but as a part of the public charge.

“ What have those aggregations politic done, in building temples, and in founding churches ? They were only paying their portion of a common debt ; they were only furnishing their contingent of a national charge : their piety might have struck out a more uniform plan of contribution ; but it could not deprive the nation of the right of appointing
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that contribution. Every foundation, therefore, of this kind, is like those of our kings, the undoubted deed, that is to say, the undoubted property of the nation.

“As to the estates derived from foundations made by simple individuals, it is equally easy to prove, that, in appropriating them to herself upon the inviolable condition of furnishing the necessary charges, the nation commits no outrage against the right of property, nor against the will of the founders, such as we must suppose it to be in the order prescribed by law.

“In fact, gentlemen, what is property in general? It is the right which all have given to a single person to possess exclusively a thing, to which, in its natural state, all had an equal right: and, after this general definition, what is private property? It is an estate acquired by virtue of the laws.

“I return to this principle, because an honourable member who spoke, some days ago, upon this question, did not state it perhaps with the same precision as those other truths, the principles and consequences of which he hath so ably unfolded. Yes, gentlemen, it is the law alone which constitutes property, since it is only the public will which can effect the renunciation of all, and give a title, as the warrant of enjoyment, to a single person.

“If we be supposed out of the protection of law, what is the consequence?

“Either all possess, and then, nothing being peculiar to any one person, there is no such thing as property:

“Or usurpation is the case, and usurpation is no title:

“Or the possession is only physical and material, if one may so express it; and, in that case, no law warranting such a possession, it could not be considered as civil property.

“Such

“ Such are, gentlemen, the ecclesiastical foundations. No law of the nation hath constituted the clergy a permanent body in the state. No law hath deprived the nation of the right of examining whether the ministers of her religion form an aggregation politic, existing by itself, and capable of acquiring and possessing.

“ Now, hence also arise two other consequences. The first is, That the clergy, when accepting those foundations, must have expected that the nation might one day destroy that corporate and political existence, without which the clergy is incapable of possessing any thing. The second is, That every founder must have equally foreseen that it was not in his power to trespass upon the rights of the nation; that the clergy might one day cease to be a body in the state; that the ministers of religion collectively would then no longer have any distinct property, any separate administration; and that, accordingly, no law would warrant the perpetuity of the foundations in the precise form wherein they were established.

“ Take notice, gentlemen, that, if you do not admit these principles, all your decrees with respect to the property of the nobles, the proportional contribution, and the abolition of privileges, would be no more than a vain parade of legislation *. When you were of opinion that your decrees upon these important questions were no infringement on the right of property, you grounded that opinion upon the notion that the word property appertained not to prerogatives, and to exemptions which the laws had not authorised, or which it was the interest of the public to destroy. Now, do not the same principles apply to the particular foundations of the church?

“ If you imagine that the founders, that is to say, private citizens, in bestowing their fortunes

* De vaines loix.

on the clergy, and the clergy in accepting them, could create a body in the state, give it the capacity of acquiring, deprive the nation of the right of dissolving it, compel the nation to receive, in the quality of proprietor, a great body, to which so many sources of credit already give so much power, then respect the property of the clergy; the decree which I propose would prove a violation of it.

“ But if, notwithstanding particular foundations, the nation hath continued in possession of all her rights; if you can declare that the clergy is not an order, that the clergy is not a body, that the clergy, in a well-organized nation, ought not to be proprietary; it thence follows, that its possession was but precarious and temporary; that its estates have never been, truly speaking, a property; that, in accepting them from the founders, it was for religion, the poor, and the service of the altar, that they accepted them; and that the intention of the donors will not be disappointed, since they must have foreseen that the administration of those estates would pass into other hands, should the nation resume her rights.

“ I might consider the property of ecclesiastical estates in a great many other points of view, if the question was not already sufficiently perspicuous.

“ I might say, that the ecclesiastic hath not even the usufruct; but is merely a steward. I might add, if prescription could be set up against nations, that the possessors of most of the church-estates having been from time immemorial nominated by the king, the nation hath continually preserved, by her chief, the rights which she had always had to the property of those estates.

“ I might say, moreover, that, if the estates of the church are consecrated to public worship, the temples and the altars belong to the community, and not to their ministers; that, if they are destined for the poor, the poor and their calamities

lamities belong to the state; that, if they are devoted to the maintenance of the priests, every class of the community may present ministers for the priesthood.

“ I might remark, that every member of the clergy is an officer of the state; that the service of the altar is a public function; and that, as religion is the concern of all, for that sole reason its ministers should be paid by the nation, like the judge who gives sentence in the name of the law, like the soldier who, in the name of the community, defends the common property.

“ I might conclude from this principle, that, if the clergy had no revenue, the state would be obliged to supply one: now, an estate which serves only to pay our debts, is certainly our property.

“ I might conclude, moreover, that the clergy could acquire estates for no other purpose than the discharge of the state, since, in granting these estates, the founders have done what, in their place, and in their default, the nation must have done.

“ I might say, that, if the reflections which I have just offered apply completely to the estates given by founders, they must apply still more forcibly to the estates acquired by the ecclesiastics themselves, with the produce of the estates of the church: the commissioner can only make acquisitions for his principal, and the violation of the will of the founders cannot confer rights more real than that will itself can.

I might observe, that, although the priesthood, among us, is not united to the empire, religion ought, nevertheless, to be blended and confounded with it; if the empire prospers by her, it is ready to defend her. What would become of religion, if the state were to be ruined? Should the grievous distresses of a nation be unfelt by those ministers of peace and charity, who daily beseech

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the Deity to bless a faithful people? Should the clergy preserve its estates, if the nation were no longer able to protect those of the other citizens? Would their pretended property be left untouched, if all other property was to be violated?

“ I might say, the seamen never appropriated to themselves the ships which the people built in order to defend the state: never, according to our present customs, will an army divide amongst the soldiers the country which it hath conquered. Shall the clergy alone be allowed to say, that the conquests made by its piety over that of the faithful, are to belong to it, and remain inviolable, instead of forming a part of the indivisible domain of the state?

“ In fine, were I disposed to survey a question of such magnitude in all the points of view which connect it with the new constitution of the kingdom, with the principles of morality, with those of political œconomy, I would first examine, whether it be consistent with the new order of things which we have established; that government, which distributes all ecclesiastical wealth by nominating the dignitaries, should preserve, by that circumstance, unbounded means of action, corruption, and influence.

“ I would ask, whether, for the interest of religion itself and of public morality, those two benefactresses of humankind, it be not of importance, that a more equal distribution of the estates of the church should henceforward restrain the luxury of those who are only stewards of the estates of the poor, the licentiousness of those whom religion and society present before the people as an ever-living example of purity of morals*.

“ I would say to those who persist in considering a proprietary clergy as a useful institution, Examine well, whether, in the countries border-

ing upon ours, the officers of public worship are the less respected, for not being proprietaries; whether they acquire, and whether they deserve, less confidence; whether their morals are less pure, their information less extensive, their influence over the people less active, I would almost say, less beneficent and less salutary. It is not that I mean to compare either our holy religion, or its celestial precepts, with the ritual of error*; I am speaking only of the men; I am considering the ministers of worship merely in the relation which they bear to civil society: and indeed, when I express myself in this manner before the cream and flower† of the French clergy, before those pastor-citizens who have seconded us with so many efforts, who have edified us by so many sacrifices, I am very certain that no false interpretation will be put either upon my intentions or my sentiments.

“ I return now to the point whence I originally set out. What have I proved, gentlemen, by the particulars which I have entered into?

“ My object hath not been to shew that the clergy ought to be pillaged of its estates, nor that other citizens, nor that purchasers should be put into its place.

“ No more have I meant to contend, that the creditors of the state ought to be paid with the estates of the clergy; since no debt is more sacred than the expences requisite for public worship, for keeping the temples in good condition, and for providing alms for the poor.

“ No more was it my intention to say, that the ecclesiastics ought to be deprived of the administration of the estates and incomes, the produce of which should be secured to them. What interest should we have in substituting, in the room of those faithful stewards, the agents of the treasury,

* Avec des erreurs.

† L'élite du clergé de France.

and hands so often suspected, instead of hands ever immaculate?

“What, then, have I wished to prove, gentlemen? One thing only: that it is, and ought to be, a principle, that every nation is the sole and true proprietor of the estates of her clergy. All that I have asked of you, is to consecrate this principle, since errors or truths are the destroyers or the saviours of nations. But, at the same time, in order that none may doubt the generosity of the French nation towards a portion of her members the most necessary and most respected, I have required that it should be decreed, that no parish-minister, not even those in the country, should have less than twelve hundred livres *per annum*.”

This speech was loudly applauded; and yet it was attacked, the moment after, by the Abbé Maury, the Abbé de Montesquiou, &c.

NOVEMBER 2, 1789.

The debate upon the motion of M. de Mirabeau was continued, and the decree, drawn up by the author of the motion, presented in the following terms:

“The National Assembly declares,

“1. That all the estates of the ecclesiastics are at the disposal of the nation, which undertakes to provide, in a suitable manner, for the expences of religious worship, for the maintenance of its ministers, and for the relief of the poor, under the superintendance, and pursuant to the instructions, of the provinces.

“2. That,

“ 2. That, in the dispositions to be made, in order to supply a proper maintenance for the ministers of religion, there may not be appointed, for the endowment of any parish, less than 1200 livres per annum, exclusive of the habitation and the gardens belonging to it.”

On the same day, and previous to the passing of the decree, *M. de Mirabeau* asked leave to speak; but did not persist in his request, as he wished not to retard the judgment in that important cause which, for so many days, had engaged the whole attention of the assembly.

Had he obtained an opportunity, he would have spoken as follows:

“ You are going to decide a question of great magnitude. It is a question in which the religion of the state is interested; the nation and all Europe are attentive, and we have hitherto given heed to frivolous and puerile objections.

“ It was I, gentlemen, who had the honour to propose to you to declare the nation proprietor of the estates of the clergy.

“ It is not a new right that I wished to acquire for the nation; my only desire was, to state that which she hath always had, which she always will have; and the reason why I desired that this justice should be rendered to her, was, that principles save nations, and errors prove their ruin.

“ Suppose that, instead of the motion which I have made, I had required you to declare, that individuals are the only elements of any society whatsoever; no person could have combated the principle.

“ Had I proposed to you to determine, that particular societies, placed within the general society, break the unity of its principles, and the equilibrium of its powers, no person could have refused to acknowledge this mighty truth.

“ Had I counselled you to consecrate this principle: that the great political bodies are dangerous

rous in a state, by the force which results from their coalition, by the resistance which arises from their interests, there is not one amongst you who would not have been sensible of this danger.

“ Had I carried you back to the very birth of society, and asked you whether it was prudent to to suffer such bodies politic to be established, to consider those aggregations as so many individuals in the community, to permit them to act as citizens, and become proprietors like the rest, which of you would not have acknowledged that such an organization could be no other than vicious ?

“ If, depicting the clergy such as it is, with its powers and its opulence, with its luxury and its morality, with its credit and its influence, I had said to you : Do you think that, if the clergy was not proprietary, religion would be less holy, public morality less pure, and the manners of the clergy less severe ?

“ Do you think that the people’s respect for the ministers of the altar would be less scrupulous, or that its confidence in them would be less staggered, if it was not obliged to compare their affluence with its own misery, their superfluity with its own wants, and its own unremitted labour with the rapidity of their fortunes ?

“ Do you imagine that it would be impossible to suppose a respectable clergy, receiving stipends from the state, like its magistrates, its governments, its army, and even its kings, enjoying incomes and not property, disencumbered from the care of worldly affairs, but assured of such a decent maintenance as is suitable to the dignity of its functions ?

“ Had I proceeded to say to you : Do you not perceive that three-fourths of the clergy are really but stipendiaries to the other members of that body, and might they not as well be stipendiaries to the state ? Do you not perceive that all the great dignities of the clergy are in the royal gift ; and that
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it is a matter of indifference to the person thus promoted, whether he is to receive a fixed revenue, or territorial possessions? Certainly there is not one of these principles which you would not have adopted.

“ In fine, gentlemen, had I said to you : The clergy admits that only a third of its revenues belong to itself ; that one-third must be set apart for the service of the temples, and another third for the relief of the poor. Appoint, then, three treasuries for the revenue of these estates. Declare that the third which is destined for the ministers of the altar, shall be charged with all the debts of the clergy, and shall, moreover, pay a proportionable share of the taxes.

“ Had I said : The ministers ought not to have even the third of the revenues of the church ; because the public wants, for which those revenues were intended, are much fewer than they were at the time of making the foundations ; and that while these wants have diminished by the inevitable effect of the improvement of society, the estates have augmented by the no less inevitable effect of time.

“ Had I added, that we must not include, in the third part for the ministers of the altar, the domains which the ecclesiastics have purchased with the produce of the other estates, since, according to their own principles, this produce did not belong to them ; that they would have made no savings, had they been satisfied with the simple necessities which the canons of the church allow them ; and that it is the business of the nation, protectress of the poor and of religious worship, to take care that the intent of the foundations hath been answered.

“ Had I drawn aside the curtain, and shewn that the clergy, for above a century, hath been burthening the church-estates with an immense debt, by borrowing, instead of raising the rents,
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by paying only the interest of its annual contribution, instead of paying that contribution out of its revenues, as all the other citizens do; and had I required that that body should be obliged to alienate, to the amount of what it owes, a part of the third belonging to it.

“ Had I said: That the clergy, whether it be proprietary or not, is not the less exempt from the duty of distinguishing its lawful possessions from its manifest usurpations; a multitude of benefices exist as mere sinecures; a great many foundations are not carried into effect. Here again, then, are immense estates which we must cut off from the third remaining to the clergy. You have declared that a multitude of seigneurial rights were nothing more than usurpations; and, upon this principle, you have suppressed them without indemnification. Shall nothing be inviolable but the usurpations of the church?

“ Had I likewise observed, that many abbeys are only of royal foundation; that many secularizations of religious orders no longer permit the will of the first founders to be executed, a will for which, at the present day, men wish to inspire us with so much respect; that many ecclesiastical corporations have been dissolved with the consent of the clergy; that it is very easy to diminish the number of the bishops, without injuring the service of the churches; that ecclesiastical riches are too unequally distributed, for the nation to endure any longer the poverty and thatched cabin of a useful pastor, as contrasted to the luxury and palaces of a member of the church very often of no use whatsoever *: there is not one of these reflections which would not have appeared highly worthy of your attention, and susceptible of some law.

* *Bravo!*

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“ But,

“ But, gentlemen, I have not said one word upon these important matters; instead of entering into that labyrinth of difficulties, I have proposed to you a measure more convenient and more simple: Declare, said I to you, that the estates of the church belong to the nation; this simple principle will lead you to a thousand useful reformations, and by that alone every obstacle will be surmounted.

“ But, no: if we are to believe some members of the clergy, the principle which I propose to you is nothing more than an error.

“ The clergy, which I had hitherto imagined to be a mere steward, a mere depositary, ought not only to enjoy the estates of the church, it ought likewise to possess them as a property; and religion, morality, and the state will be shaken, if we lay hands upon this immense wealth.

“ Permit me, then, gentlemen, to remind you of some more principles, and to answer some objections.

“ The nation certainly hath a right to create or not create corporations: I first require that this principle be either admitted or denied.

“ If it be denied, I will prove that corporations cannot constitute the elements of civil society, since they exist not at the moment when society is forming, since they have only that moral existence which the law bestows on them, since they are the work of the law itself; and the question, whether particular societies should be suffered within the general society, can, certainly, be determined only by the whole society, when it hath attained its complete formation. To admit different principles, would be admitting effects without a cause.

“ The Abbé *Maury* asserts, that corporations may be established without the concurrence of the law, and by the sole will of such individuals as are pleased to form an aggregation politic.

“ But

“ But it is easy to answer him, that it is not the material union of individuals which forms an aggregation politic; that, in order to effect that, such aggregation must be considered as an individual in the general society; that it should have a personality distinct from that of each of its members; and that it must have a right to perform acts of citizenship: now, it is evident that such rights, interesting the whole society, can only be derived from the power of that society; and, unless we suppose that certain individuals can make laws, it is absurd to assert that they may establish corporations, or that corporations can be formed of themselves.

“ Having once proved, gentlemen, that society hath the right of creating or not creating corporations; I say that it hath equally a right to determine, whether the corporations which it admits ought, or ought not, to be proprietary.

“ The nation hath this right, because, if corporations exist but by virtue of the law, it is the province of the law to modify their existence; because the power of being proprietary is amongst the number of civil acts, and it belongs to society not to allow every civil act to aggregations which are only its own work; because, in fine, the question, whether it is proper to create corporations, is entirely distinct from the point of determining whether those corporations should be proprietary.

“ The Abbé *Maury* asserts, that no corporation can exist without property. I will confine myself to asking him, What are the domains of the magistracy and of the army? I will say to him, What, then, was the property of the clergy in the primitive church? What were the domains of the members of the first councils? We may suppose a society without property, nay, without individual property, such as that of Lacedæmon, while governed by the laws of Lycurgus. Why, then,

might we not suppose any corporation whatever, and particularly a clerical corporation, without property?

“ After having thus proved, gentlemen, that the nation hath a right to create or not create corporations; that it belongs to her to determine whether these corporations ought, or ought not, to be proprietary; I say, that, wherever such corporations exist, the nation hath a right to destroy them, as she hath had a right to create them; and I require, moreover, that this principle be either admitted or denied *.

“ I will say to those who would contest it, that there is no legislative act which a nation cannot revoke; that she may change, when she thinks proper, her laws, her constitution, her organization, and her mechanism; the same power which hath created may destroy, and whatever is not the effect of a general will, ought to cease from the moment that will suffers an alteration.

“ I will say, moreover, that the present assembly being not only legislative, but likewise constituent, she hath, for that reason, every right that could be exercised by the first individuals who composed the French nation. Now, let us suppose, for a moment, that we were going to lay the foundation-stone of civil society in this kingdom *; who could contest with us the right of creating corporations, or of prohibiting their birth, of granting to corporations particular property, or of declaring them incapable of acquiring it? We have, then, at this day the same right, unless it be supposed that our constituent power is limited; and surely we have already made a sufficient number of changes in the ancient order of things, to allow the proposition which I have the

* Are not many parts of this speech much in Mr. Flood's manner? W.

* Qu'il fût question d'établir parmi nous le premier principe de l'ordre social.

honour to submit to you, to be considered as in no wise beyond your power.

“ I believe, then, gentlemen, that I have proved, that it belongs to the nation to establish corporations, that it is her province to declare them proprietary, and that she can never be deprived of the right of destroying them.

“ Now, I thence conclude, that, if corporations can be destroyed, the property of corporations can be destroyed also. I require moreover, gentlemen, that this consequence be either admitted or denied.

“ I will tell those who would deny it, that the effect ought to cease with the cause, that the principal carries away with it the accessory, that it is impossible to suppose property without an owner, and rights belonging to those who are no longer in existence.

“ Let us now apply these principles to the clergy.

“ Affuredly, either all the principles which I have established are false, or the nation hath a right to determine that the clergy ought no longer to exist as an aggregation politic: she hath this right, unless it be pretended that a nation is tied down either by the will of some of her members; or by her own laws, or by her ancient constitution. Now, as nothing of all this can chain down a nation, she may therefore exercise the right which I have just admitted.

“ Let us now suppose that she does exercise it; I ask, what will then become of the estates of the clergy? Are they to revert to the founders? Shall they be possessed by each particular church? Shall they be parcelled out amongst all the ecclesiastics, or shall the nation become the proprietor?

“ I say, in the first place, that it is impossible for these estates to revert to the founders; either because there are few foundations which have the clause of reversion, or because those estates have

have a destination which must incessantly be fulfilled; and that they are given irrevocably, not to the clergy, but to the church, but for the service of the altar, but for the purpose of keeping the temples in good condition, but for the indigent portion of the community.

"I say, in the next place, that they cannot belong to each church in particular, since a church, a parish, a chapter, a bishopric, are still moral corporations, which cannot have the power of possessing, except by the effect of law; and thence I conclude, that the Abbé *Maury* is really begging the question, when he asserts, that, if the founders could not have given irrevocably to the church in general, they would have given irrevocably to each particular church.

"It is no less manifest, gentlemen, that the clergy no longer existing as a body politic, the ecclesiastics cannot have the right of dividing amongst themselves its prodigious spoils. The absurdity of such a pretension is self-evident,

"All the church-estates are not in the hands of dignitaries; nay, the dignitaries are no more than detainers; and it must necessarily be admitted, that estates which have a general destination should likewise have a common administration.

"It remains, then, gentlemen, that to the nation alone the property of the estates of the clergy can belong; such is the conclusion to be drawn from all the principles.

"But, it is not enough to have proved that the estates of the church would be the property of the nation, if the clergy were dissolved as a body politic; it follows equally, from the particulars which I have just entered into, that the nation is proprietor, for this sole reason, that, while suffering the clergy to exist as a corporation, we might declare it incapable of possessing. Here again all the principles which I have established make their appearance.

appearance. The capacity of possessing by the title of proprietor, is a right which the law may grant or refuse to a body politic, and which it may cause to cease after having granted it; for there is no act of legislation which society cannot revoke. You will do nothing more, then, gentlemen, than determine that the clergy ought not to be proprietary, when you declare that it is the nation which ought to be so.

“ But this is not sufficient; there remains yet a difficulty to be solved. Shall it be only from the æra of your law that the nation shall become proprietor, or shall she have been so always? Is it a law that we are going to enact, or a principle that we are going to declare? Must we, as the Abbé *Maury* says, kill the body of the clergy in order to possess ourselves of its domains? or, rather, is it true that the church hath never had more than the administration, the deposit of these same estates? This question, gentlemen, which perhaps was not sufficiently handled in the former debates, may yet easily be solved by applying only the principles which I have laid down.

“ In fact, gentlemen, if every corporation may be destroyed, if it may be declared incapable of possessing, it follows that its property is but uncertain, temporary, and conditional; it follows, that the possessors of estates, the existence of which is so precarious, cannot be considered as unchangeable proprietors, and that, consequently, we must suppose for such estates an owner more substantial, more durable, and more absolute.

“ Is the question, gentlemen, concerning a corporation the estates of which, if it suffered a dissolution, may revert to each of their owners? In this case, we may say every moment, even while such a body exists, that the individuals who compose it are really the proprietors of its estates.

“ Is

“ Is the question, on the contrary, concerning a corporation the estates of which have a public destination, which ought to survive its destruction, and the property of which cannot revert, in any case, to the members who compose that corporation? One may say, every moment, of such a body, that the true proprietors of its estates are those for whom they are principally destined.

“ In the former case, the law, which hath permitted a corporation to be proprietary, hath given it this power merely in order to exercise it in the name of its members. In the latter case, the law hath granted this power only in order that it should be exercised in the name of the nation.

“ Gentlemen, do not deceive yourselves with respect to this point: it was for the whole nation that the clergy accumulated its riches; for her it was, that the law permitted it to accept donations; since, without the liberalities of the faithful, the society would itself have been obliged to endow the clergy with revenues, for which the property acquired with her consent hath been no more than a temporary compensation: and for that reason it is, that the property of the church hath never been considered in the light of particular property.

“ The Abbé *Maury* makes another objection upon this point. A society, says he, can have only the sovereignty and empire over the estates of its members, and not the inheritance of these estates. This distinction, continues he, was set up in opposition to the encroachments of the Roman emperors, to whom the rascally civilians wished to attribute an immediate property: and a grand idea saved humankind from a great calamity. The same system, says he again, was revived by the chancellor *Duprat*, by *M. de Pauliny*, and still more recently by *M. de Puységur*; but it hath been constantly rejected as tyrannical.

“ It

“ It is easy to answer the Abbé *Maury*, that the question here is not concerning the right of the prince, but concerning the right of the nation; that it is very true that the prince hath over the estates of his subjects, neither right of inheritance nor right of empire; but that it is no less certain, that the French nation enjoys a right of property over a multitude of estates which, without her possessing them ostensibly, are destined for her wants, and administered in her name: and, to prove this unanswerably, I need only ask the Abbé *Maury*, whether the nation hath not the property of the state-domain, which is so improperly styled the domain of the crown? whether she does not possess it in the manner of particular property? whether it is not in her name that the prince hath enjoyed it to the present day? in fine, whether it be not in her power to alienate it, and apply the purchase-money to the payment of the public debt?

“ It is true, then, that, besides the sovereignty, the nation, as a body, may possess particular property: the only question, therefore, that remains, is, whether it is in the name of the nation that the church enjoys its estates, as it is for the nation that the king possesses his domains.

“ Now, in order to determine this question, it is sufficient to compare the property of the church with every other species of property that we know of.

“ I distinguish property into five sorts: particular property, which is of two kinds, according as it belongs to simple individuals, or to corporations not ecclesiastical.

“ The fiefs of the nobility, which are likewise particular property, but which it is proper to consider separately, in order to answer some objections of the Abbé *Maury*; the domains of the state; and the estates of the church.

“ In

“ In considering the property of individuals, as to its nature, its effects, and with relation to the sanction of the law, I discover, 1. That each individual possesses by virtue of the right of possessing which he hath given to others, and which all have given to one: now, this first description is applicable neither to the property of the church, nor to the property of any corporation.

“ 2. That the right on which particular property is founded is, as it were, co-existent with the establishment of society, since it flows from the power which every individual hath of partaking in those advantages which all the other members are to enjoy, with whom he is going to form an aggregation politic: now, no more doth this second description apply either to the estates of the clergy, or of any corporation; not having been created till after the formation of society, they could not have any right co-existent with her, and which, in any wise, formed a part of the social compact.

“ 3. That there is no necessity for distinct laws to secure the inheritance of particular property; for, unless at the very outset you establish a community of possessions, the confirmation and warranty of estates peculiar to individuals, is a necessary consequence of the foundation of society: now, this third description is also foreign to the estates of the clergy, and of any corporation whatsoever. It is evident that, with respect to them, the capacity of acquiring could only be the work of the legislature and the law.

“ In fine, I discover that each individual enjoys his fortune, not subject to obligation, since he may alienate it; not as a depositary, since he may dissipate it; not as a usufructuary, since he may destroy it; but as absolute owner, just as much as he is master of his will, his bodily motions,

rions, his thoughts. Now, not one of these descriptions is applicable to the clergy: it cannot alienate estates, it hath no right to transmit them; it is rather the steward only, and not the usufructuary.

“ When particular property belongs, not to individuals, but to corporations non-politic, some of the descriptions already mentioned then cease to be applicable to it; but still a sufficient number of them will remain, in order to distinguish it from the estates of the church.

“ The property of corporations cannot be founded on the right, which every man who enters into society brings along with him, of having exclusive possessions, if he permits, and if all permit such possessions; for corporations are not, like individuals, the primary elements of society; they do not precede her existence, they cannot enjoy rights even at the moment of her formation.

“ It is likewise true, that the particular property of bodies non-politic depends not on the primitive organization bestowed on civil society, that it depends not on the establishment of other sorts of property, that it is not the necessary consequence of them, and that it can only be the work of a particular law.

“ But, besides this, such bodies possess, with the same power, the same absolute dominion as simple individuals. They can alienate; they dispose of the produce; they transfer the stock; they act as complete owners: now, the clergy possesses neither the stock nor the produce of its domains. It can take nothing out of the church-estates but its own personal maintenance: nay, it happens very rarely that the dignitary who possesses hath the right of choosing the steward who shall succeed him.

“ If,

“ If, from the particular property of which I have been just speaking, I pass to that of the nobles, which is known by the name of fiefs, it is easy to shew that it hath all the characteristics of the property of simple individuals. If we consider fiefs as the acquisition of those who possess them, they are that true individual property which merits all the protection of the law. If we look on fiefs as having been formed at the very time when the kingdom was first conquered, they have thence the same origin as all the allodial and other property in the realm. If, on the other hand, we suppose them given or created by the king, a multitude of characteristics distinguish them from the church-estates; the fiefs were not given to the nobility to fulfil a public destination; they were given neither in the name of an obligation, nor in the name of a deposit. They who accepted them were not looked upon as the mere stewards of the produce; they obtained them as a recompence, or as a salary; they became the real masters of them; they had it in their power to transmit them to their descendants. Now, I ask whether the same thing can be said of the church-estates: they were not given to individuals, but to a body; not in order to be transmitted, but in order to be administered; not as a salary, but as a deposit; not for the particular advantage of those who might possess them, but in order to accomplish a public destination, and in order to supply expences which might have been a charge to the nation. The church-estates, therefore, have nothing in common with those of the nobility; personal interest, that interest which endeavours to increase its powers, and to acquire auxiliaries, in vain endeavours to prove that two such different kinds of property have the same origin, and ought to fear the same fate. The nobles will not be affrighted by these

these vain menaces, and all personal interest will disappear before the supreme law of the state.

“ Nothing more, therefore, remains, gentlemen, than to examine what is the domain of the crown, and compare it with the church-estates. This domain is a great national property. The kings are neither the owners, nor the possessors, nor even the detainers of it; the government administers in the name of the nation; its produce is destined for the public service; that produce replaces a part of the taxes; and the state hath, in this point of view, at once the property and the enjoyment of it.

“ Now, do we not clearly find the same origin, the same destination, the same effects in the possessions of the church? Its estates, like the crown-lands, are a grand national resource. The ecclesiastics are neither the owners, nor even the usufructuaries; the produce is destined to a public service; it stands in the place of those taxes which must have been established for the service of the altar, for the maintenance of its ministers; it operates, therefore, as a discharge for the nation.

“ Here, then, gentlemen, are two sorts of estates entirely similar, one of which undoubtedly belongs to the state; here are two sorts of estates which have nothing in common either with the property of individuals, nor with the individual property of bodies non-politic, nor with the fiefs of the nobility: now, thence I draw several conclusions.

“ The first, that it is no more incompatible that the nation should be proprietor of the church-estates, than it is that she should be proprietor of the domains of the crown.

“ The second, that it is for her own interest, and, as it were, in her own name, that the nation

tion hath permitted the clergy to accept the donations of the faithful.

“ The third, that if the clergy ceases to possess these estates, the nation alone can have the right of administering them, since their destination is consecrated solely to public benefit: now, as I have already demonstrated, he alone, who is, to enjoy the estates of a corporation, when that corporation is dissolved, is considered to be the absolute and unchangeable owner of it, even during the existence of that corporation; the possessor can have only a precarious title, and one absolutely subordinate to the law.

“ In fine, gentlemen, in the observations which I have had the honour to present to you in the foregoing debates, I established the rights of the nation to the church-estates, in considering these estates in another point of view.

“ I told you, that the clergy can have acquired its estates only in four different ways; it holds them of our kings, of aggregations politic, that is to say, of corporations and communities, or of simple individuals, or of itself.

“ If it holds them of our kings, whatever a prince hath given for the purpose of fulfilling a public destination, is considered as given by the nation, which, but for the munificence of our kings, would have been herself obliged to endow the churches, or their ministers. The nation, therefore, is proprietor in the first point of view; she can resume estates which belong to her, which were given only by her chief, in her name and for her.

“ If the church holds her estates of aggregations politic, such aggregations have by that, only paid their contingent of a public debt, along with all the communities and all the individuals of the kingdom; they have only outstripped

stripped and rendered unnecessary a general tax, which it would have been indispensably necessary to establish. In this new point of view, therefore, the nation is again proprietor of the church-estates.

“ If she holds them of the liberality of individuals, such individuals must have known that no body politic could be unchangeably proprietary; they must have known that the nation could declare such a body politic incapable of possessing; and since they granted away estates for a public destination, they must have expected that the nation would administer them herself, whenever she judged it proper to enact such a law: it follows thence, that their true intention (that at least which we must suppose them to have had according to the course of law) cannot be frustrated, although the nation does declare herself proprietor.

“ In fine, if the church holds her estates of herself, and of the acquisitions which her revenues have enabled her to make, it is evident that, if such acquisitions are contrary to the will of the donors, they have procured no new right for the church; and that if the donors, be supposed to have approved them, we must then apply to these estates all that I have said concerning those which the church hath received directly from the founders.

“ You must have been astonished, gentlemen, at the manner in which the Abbé *Maury* attempted to answer these principles. On the one hand, said he, I have spoken only of foundations; and the church possesses estates by other titles: on the other hand, all the estates granted to the church were not destined for the expences of religious worship, nor, consequently, to public benefit: in the third place, the founders did
not

not treat with the church in general, but merely with each particular church.

“ It is easy, gentlemen, to answer these three objections. I have necessarily mentioned all the estates of the church, when I mentioned those which it had received from our kings, from aggregations politic, and from simple individuals; for her donations, her foundations, her legacies, her inheritances, can have no other origin.

On the other hand, the estates given to the church, by what title soever, could have had but these five objects; the expences of religious worship, the keeping the temples in proper order, the relief of the poor, the maintenance of the priests, and particular prayers for the families of the founders. Unquestionably, the four first objects relate only to a public destination. I might say of the fifth, that it is easy to suppose that, in the ages of ignorance, the major part of the donors confounded the real worship of God with the religious objects which were the motives for the foundations, and which determined their liberalities: but it will be sufficient to answer, that the intent of the particular foundations will be equally well answered, whether the clergy be proprietary, or not proprietary; and, besides, the members of the clergy are not ignorant that all the prayers of the church, even when they have a particular destination, still turn to the common benefit of the faithful.

“ It will be sufficient for me to observe, as to the third objection, that the principles which I have established remain the same, whether the founders treated with the clergy in general, or with each church in particular. The foundations were never made in favour of an ecclesiastic. If in favour of a church, each church is a moral corporation, and then the foundations are not individual,

dividual, as some pretend: it is well known also, that christianity was not established all at once throughout the kingdom; and it was only by endowing each church in particular, that the whole ecclesiastical corporation could be founded.

“ And now, gentlemen, what remains for me to discuss? What objections remain for me to answer?

“ The Abbé *Maury* asserts, that the clergy of France existed before the conquest of the kingdom: if that be so, we give the clergy leave to keep the domains which it possessed before the conquest. Or rather, gentlemen, since a nation hath even a right to alter her original social compact, what power could prevent her from altering the organization of the clergy, though she had even found it constituted, such as it is at present, in the midst of the Gaulish idolaters?

“ The Abbé *Maury* says, moreover, that there are laws extant in the capitularies or Charlemagne, which declare that the property of the clergy should be preserved. I will not examine whether the word *proprietas*, which is found in those laws, be synonymous to *dominium*, and signify enjoyment or domain. No more will I be at the trouble of proving, whether the laws were made merely by the monarch and his council of Leudes, or proclaimed in the Champs de Mars. I will neglect all such proofs, the feeblest of all proofs, precisely because one might prove every thing with them, and that where there is one monument of pretended public right, there is almost always a contradictory monument to oppose to it. But I will answer the Abbé *Maury*, that those particular laws secured the property of the clergy only with respect to the individuals, in the same manner as the laws extant which established their tythes: but, were it true that the clergy

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had

had been declared proprietary by a national law, the French nation would no less have preserved the right of repealing such a law.

“ The Abbé *Maury* moreover says, that the clergy possesses as all other individuals do; that there is no social property which is not more or less modified; that if the edict of 1749 prohibited the clergy to make acquisitions, there are several laws which contain the same prohibition to other classes of citizens; in fine, that if the clergy hath not the right of alienating, that is only a new method which it hath discovered of preserving property.

“ I will not take the trouble of answering these sophisms, since the Abbé *Maury* himself cannot look on them in the light of serious objections. Undoubtedly, if the obligation not to alienate is a new mode of preserving property, it is not, at least, a mode of proving that one may dispose of a thing as absolute owner. Would the Abbé *Maury* think of proving very clearly, that the king is proprietor of the crown-domains, because the king hath not the power of alienating them?

“ I will not stay, gentlemen, to answer those who have attacked the motion which I made, after the consequences that may be drawn from it; I shall confine myself to making two observations which appear to me important. The first, that the question is not precisely about taking the estates of the clergy in order to pay off the public debt, as we have been told incessantly. We may declare the principle of the property being in the nation, without prohibiting the clergy from administering its own estates: the state does not want treasures, it wants a pledge and a mortgage; it wants credit and confidence.

“ The

“ The second, that there is not a single member of the clerical order whose fortune would not be much increased by a more equal partition, excepting those who have ten times more than they need, and who ought not to shrink from any sacrifice, since, even after the most vigorous reductions, they will still possess ten times more than they have occasion for.

“ Enough, gentlemen : I proposed, when setting out, to bring back the question to its true object ; and I think I have accomplished that end.

“ The Abbé *Maury* will, doubtless, still complain, that I have made use of metaphysics ; for my part, I will ask him, how one can, without the aid of metaphysics, define the property of the empire, the domain ; fix the relations between the state of nature and the state of civil society ; determine what is a moral corporation ; distinguish the property of individuals from that of corporations, and civil rights from political ones. When we have only abstract terms to work with, when the object of a discussion is metaphysical, we must necessarily become so ourselves, or find ourselves at a distance from our subject : but I am wrong in making these observations to the Abbé *Maury* ; he hath already shewn us twice in this debate, how metaphysical objections may be answered without metaphysics.

The following is Part of the Answer of M. MIRABEAU to the Protest made in the Name of the Prelates and the Nobles possessing Fiefs, of the Assembly of the States of Provence, against a Speech of M. MIRABEAU upon the illegal Representation of the Inhabitants of Provence in the States-General of that Province, and upon the Necessity for convening a General Assembly of the three Orders;

“ **W**HAT, then, have I committed that should subject me to so much censure? I was desirous that the order I belong to should have the policy to grant to-day what to-morrow will indubitably be forced from it; I was desirous that it should make sure of the merit and the glory of being the first to urge the convocation of the three orders, which all Provence demands with such an eager emulation.—That was the crime of the enemy to the public peace! or rather it was, that I thought the people might be in the right.—Unquestionably, a patrician, sullied with such a thought, deserves to be made an awful example! But I am much more guilty than I am supposed to be; for I am of opinion that the people, which now complains, is always in the right; that its untired patience still waits for the last extremity of oppression, before it resolves upon resisting; that it never resists long enough to obtain the redress of all its grievances: that it is not sufficiently aware, that, to become formidable to its enemies, it needs only remain motionless; and that the most innocent, as well as the most invincible of its powers, is that of refusing
to

to act.—This is my opinion: now punish the enemy of peace.

“ But you, ministers of the God of peace, who, appointed to bestow benedictions and not curses, have launched at my head the thunder of your anathemas, without deigning even to attempt to bring me over to other maxims!

“ And you, friends of peace, who accuse to the people, with all the vehemence of hatred, the sole defender it hath ever found who belonged not to its own order!

“ Who, for the purpose of cementing concord, fill the capital and the province with manifestos qualified to arm the people of the country against the people of the towns, if your actions did not contradict your writings;

“ Who, in order to pave the way to reconciliation, protest against the provisional ordinance for the convocation of the States-General, because it allows the people as many deputies as those of the two other orders taken together amount to;

“ And who protest against whatever the National Assembly shall enact, unless its decrees establish the triumph of your pretensions, the eternity of your privileges!

“ Generous friends of peace! I here appeal to your honour, and call on you to declare what expressions in my speech, have infringed upon the respect due to the royal authority, or to the rights of the nation.—Nobles of Provence, all Europe is attentive; weigh well your answer. Men of God, take care; God is listening to you.

“ But, if you are determined to remain silent, if you wrap yourselves up in the vague declamations which you have already hurled against me, allow me to subjoin a word.

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“ In every age, in every nation*, the partisans of aristocracy have implacably persecuted the defenders of the people; and if, by some singular concurrence of accidents, any such arose amongst the members of their own order, he was marked out as the particular object of their rage, as they were eager to inspire terror by the selection of the victim. Thus perished the last of the Gracchi by the hands of the patricians†; but, when he had received the mortal stroke, he attested the avenging gods, by the ceremony of throwing up some dust towards the heavens; and from that dust sprang Marius; Marius, less illustrious from having exterminated the Cimbri, than from having abased and vanquished the aristocracy of Rome.

“ But do you, Commons, give ear to him who cherishes your applause in his heart without suffering himself to be seduced by it. It is concord alone which forms the strength of man, it is peace alone which constitutes his felicity. Be firm, but not obstinate; courageous, but not tumultuous; free, but not undisciplined; men of sensibility, but not enthusiasts. Let none but important difficulties prove an obstacle to your progress, and then be altogether inflexible; but look with disdain upon the conflicts of self-love, and never weigh in the balance an individual against your country. Above all, accelerate, as much as in you lies, the convocation of those States-General which your adversaries

* It was this, and the two following paragraphs, which tempted me to translate this fragment, after I had made up the manuscript for the press. They breathe all the spirit of *Demosthenes*. The very style is exceedingly in his manner. W.

† If I mistake not, it was the elder Gracchus who perished immediately by the hands of the patricians. Caius, the younger Gracchus, fell by the hand of an obscure wretch, who cut off his head, in order to obtain the reward offered for it by the consul Opimius. W.

versaries accuse you of delaying, and accuse you with the more asperity, the more they dread the consequences of such a convocation; of those States-General where so many pretensions shall be overtuned, so many rights re-established, so many evils remedied; of those States-General, in fine, where the sovereign himself desires that France should be regenerated.

“ As for me, who in my political career have dreaded nothing but being in the wrong; me, who, shielded by conscience and armed with principles, am ready to brave the universe; whether my voice and my exertions support you in the National Assembly, or my wishes alone attend you thither; neither idle clamours, nor injurious protests, nor fiery threats, nor, in a word, all the convulsions of expiring prejudices, shall impose on or intimidate me*. What? Shall that man, at the present day, stop suddenly in his civic course, who was the first amongst the French to proclaim aloud his opinions upon the affairs of this nation, at a time when the circumstances were far less urgent, and the attempt was much more perilous? No, their outrages shall not tire out my constancy; I have been, I am, I will be to my grave, the man of public liberty, the man of the constitution. Woe to the privileged orders, if privileges constitute the man of the people, and not rather the men of the nobles; for privileges shall have an end, but the people is eternal.

* Ne m'en imposeront pas.



F I N I S.

